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COMMISSION OF INQUIRY INTO THE USE OF DRUGS AND BANNED PRACTICES INTENDED TO INCREASE ATHLETIC PERFORMANCE

B E F O R E:

THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,
2nd FLOOR, TORONTO, ONTARIO,
ON TUESDAY, APRIL 11, 1989

VOLUME 36

NETWORK COURT REPORTING LTD.

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C O U N S E L:

ROBERT ARMSTRONG, Q.C. MS. K. CHOWN	on behalf of the Commission
A.P. SULLIVAN	on behalf of Ross Earl
A. PRATT	on behalf of Charles Francis
E. FUTERMAN	on behalf of Ben Johnson
D. SOOKRAM L. LEVINE	on behalf of Dr. M. G. Astaphan
MR. DePENCIER	on behalf of the Government of Canada
ROGER BOURQUE	on behalf of the Canadian Track and Field Association
Ms. S. HICKLING	on behalf of Bishop Dolegiewicz
Ms. L. ROTHSTEIN	on behalf of Dr. Koch
D. MANN	on behalf of the Canadian Olympic Association

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---Whereupon resuming

THE COMMISSIONER: Good morning, Mr. Futerman.

ROSS EARL: Recalled

MR. FUTERMAN:

Q. Morning, Mr. Earl.

Mr. Earl, looking at Exhibit 132 and this is -- perhaps I can put this document in front -- this is a copy of Exhibit 132.

THE COMMISSIONER: This is the contract with Dr. Astaphan.

MR. FUTERMAN:

Q. This is the contract with Dr. Astaphan?

A. Yes.

Q. Looking at that document, did it strike you peculiar that Dr. Astaphan addressed this letter of intent or contract to you and not to Ben?

A. I asked Jamie to write up this contract so I guess he addressed it to me.

Q. But, why wouldn't he address it to Ben Johnson. Why would he address it to you, when the

contract is supposed to be between Dr. Astaphan and Ben Johnson?

A. I think you'd have to ask Jamie Astaphan that. I can't answer that.

Q. I also note at the second page at the bottom, he says, once again addressed to you, "Please sign the addressed copy of this letter to signify your agreement with its contents"?

A. Yes, I see that.

Q. This letter seems to imply that you were in charge of Ben's finances?

A. Well, it seems to be ---

Q. Would that not imply that?

A. No, it seems to imply that he wrote the letter to me as I asked him to.

Q. But he asked to you sign the agreement as well?

A. Yes.

Q. You have no explanation for that?

THE COMMISSIONER: You didn't sign it, actually. You did not sign it; Mr. Johnson signed it?

THE WITNESS: No, I didn't. I went over this with Ben and Ben signed it. I asked Ben if this was -- if this was, you know, fine and in order as far as he was concerned and he was.

Probably the reason that, outside of the fact that I asked him to outline this, was that some direction from the CTFA is to have something in writing as to, you know, what Jamie Astaphan was doing for Ben and I was one of the contacts that Ben used with CTFA.

MR. FUTERMAN:

Q. All right. You can just leave that exhibit or a copy of the exhibit there and we'll pick it up later. Just taking you back for a moment to the Mazda club that was formed, when did the name change to Mazda? I think you said early 1986 but perhaps I'm wrong.

A. That's my best recollection but Charlie registered the Mazda club and, you know, Charlie would know when -- there was discussions about the possibility of Mazda doing some sponsorship with some athletes for, you know, for some period of time before, you know, there was a Mazda group.

Q. Am I correct in saying that insofar as Mazda was concerned, that Charlie Francis determined which of the athletes -- I'm going to qualify that in a moment -- which of the athletes and which of the so-called supporting cast, people like the physiotherapist and the doctor, were allowed to receive a bonus under the monies that Mazda paid to the Optomist Club?

A. Again, you would have to ask Charlie that. I would assume that Charlie had a strong influence over which athletes, you know, would be in the group but I would assume that Mazda also had a fairly strong influence on which athletes they wanted, you know, to put their money into sponsorship towards.

Q. As I understand it and perhaps it may be unfair to ask you this question because you may not know, but that Mazda had a specific contract with four of the athletes namely, Ben, Angie, Mark McKoy and Desai Williams, and then the rest of the funds were paid to the Mazda Optomist club, I guess through the CTFA, and Charlie Francis decided who got what, is that correct?

A. You would have to ask Charlie that. I ---

Q. You don't know?

A. I didn't, you know, have that close a working relationship with the Mazda club.

THE COMMISSIONER: Actually, you told us yesterday that it was Mr. Heidebrecht that told you about the $25,000 for the -- for Waldemar?

THE WITNESS: Yes.

THE COMMISSIONER: And for Dr. Astaphan, who told you that about Dr. Astaphan? I have forgotten now, the $25'?

THE WITNESS: Yes.

THE COMMISSIONER: It was Mr. Heidebrecht?

THE WITNESS: Yes.

MR. FUTERMAN:

Q. You're sure it was Harry Heidebrecht that gave you the $25,000 for Waldemar, or for Dr. Astaphan?

A. Yes.

Q. You're sure that came from him?

A. Well, I'm sure he handed me the cheque or the bank draft or whatever it was, yes.

Q. It didn't come from the CTFA to the Optomist Club or the Mazda Optomist club?

A. No.

Q. You're quite sure about that?

A. I'm quite sure about that.

MR. FUTERMAN: Thank you, Mr. Commissioner. Thank you, Mr. Earl.

THE COMMISSIONER: Any re-examination, Mr. Sullivan.

MR. SULLIVAN: No questions.

THE COMMISSIONER: I just have a few questions to clarify some matters which I raised earlier in the Inquiry.

I want to ask you a bit about the Sport Canada funding for track and field. And it is, I understand, takes several avenues. One is funding to the CTFA now, directly?

THE WITNESS: Yes.

THE COMMISSIONER: And when you ran the Scarborough Optomist Track Club did you have funding from the CTFA to it as well? Did you get money from the CTFA or from Sport Canada?

THE WITNESS: CTFA was very careful not to give any money to any club at all. Now, they---

THE COMMISSIONER: Did you get money from Sport Canada then in those days?

THE WITNESS: No.

THE COMMISSIONER: Before they changed to York University?

THE WITNESS: No, there was only one time that money ever came to the club that, you know, could have been classified like government money and that was the Canadian Olympic Association in the late '70's had set up a sum of money, I believe it was $25,000, and this was an encouragement for clubs and the money was ---

THE COMMISSIONER: Who set that up? I'm sorry.

THE WITNESS: The Canadian Olympic

Association.

THE COMMISSIONER: I see, right.

THE WITNESS: And this was set up for clubs as like a honorarium or a reward for the number of A and B and C carded athletes they developed and the number of medals.

Now, this money eventually was discontinued and this money was given to the CTFA and originally became the first salary that Charlie Francis received. So....

THE COMMISSIONER: That was from the COA? COA first?

THE WITNESS: Yes.

THE COMMISSIONER: I see. We've heard, though, that the policy of Sport Canada and, I guess in combination with CTFA, that the best way of developing elite athletes was these high performance centres, not only in track and field but other sports as well?

THE WITNESS: Yes.

THE COMMISSIONER: And I take it that it was, by the evolution of that policy, that you're elite athletes went to the high performance centre at York?

THE WITNESS: Yes, they did.

THE COMMISSIONER: And then, are you critical of that approach?

THE WITNESS: On more one one occasion I

attempted to have the, you know, at least a discussion on how the money was paid because I felt the money should have been paid to the club and then to the coaches or athletes, you know, through that.

THE COMMISSIONER: Instead of to the CTFA?

THE WITNESS: No, instead of directly to the -- you're talking -- like I'm talking about the CTFA money.

THE COMMISSIONER: Yes.

THE WITNESS: If the CTFA money had a salary say of $30,000 for Charlie Francis, they paid Charlie Francis directly.

THE COMMISSIONER: Yes, but that was funded by Sport Canada?

THE WITNESS: That's correct. Now, if Charlie, you know, misqueued and made some type of a mistake, the CTFA, you know, personnel would call the club and say, you know, how come your coach made this mistake?

And the difficulty I was having with this sort of thing was that if, you know, one boss is paying the funds directly to an employee, it's hard to look at someone else as being the person who has the control over that person.

THE COMMISSIONER: No. But by the evolution, Mr. Francis and other coaches of his nature

all became integral parts of high performance centres?

THE WITNESS: Yes, they did.

THE COMMISSIONER: Not only in track and field but in other sports as well. So, you were going to lose control really of your elite athletes by this very process of high performance centres?

THE WITNESS: Oh, definitely.

THE COMMISSIONER: What's wrong with that? Nothing personal, you did a great job with your club. But, I just want to find out whether you say that was a wrong policy or not.

THE WITNESS: Well, to me, I felt it was a wrong policy because the strength of the club was very often in the product that it ended up producing.

THE COMMISSIONER: But there are better facilities at York than you had?

THE WITNESS: There were better facilities, but those facilities were available anyone to use.

THE COMMISSIONER: I see. Well, this ties in, though, were the other funding of the athletes themselves?

THE WITNESS: Yes.

THE COMMISSIONER: And funding for the organizations, the sport organization, the funding of athletes and that's the carding system. We have them in

Ontario, as well?

THE WITNESS: Yes.

THE COMMISSIONER: But I'm addressing my questions now to the Sport Canada funding of our athletes.

THE WITNESS: Yes.

THE COMMISSIONER: While you were running the Scarborough Optomist Track and Field Club, you had some of your athletes already being funded before they switched to York?

THE WITNESS: Oh, definitely.

THE COMMISSIONER: Who determined who was going to be funded?

THE WITNESS: That was determined --

THE COMMISSIONER: Who was going to be carded and what grade they would receive?

THE WITNESS: Okay, that was set on a set of rules that was set down by the Canadian Track and Field Association, probably in conjunction with Sport Canada, and it was something along the lines that if -- this is just an example -- if someone made the top 100, they were classified as a carded athlete. That could be like a C -- this would be the top 100 in the world.

THE COMMISSIONER: Well, in other words, they judge my performance by the top 100 performances in the world?

THE WITNESS: In the world.

THE COMMISSIONER: Right.

THE WITNESS: Yes, they would.

THE COMMISSIONER: So if I was a high jumper, as unlikely as that may seem and if I -- if I jumped, say, within the top 100 of recorded other people's jumps?

THE WITNESS: Yes.

THE COMMISSIONER: Then I could become a C card, right? Theoretically ---

THE WITNESS: Yes.

THE COMMISSIONER: What I just figured out, the 100, is 100 the right figure or just what you ---

THE WITNESS: No, I believe the 100 was one of the major cut-offs.

THE COMMISSIONER: What about B then?

THE WITNESS: For a B card athlete, now, here I'm sort of, you know, groping a little bit. I believe the A card athlete, if you had won an international medal such as an Olympic medal or a medal in the Commonwealth Games or the Pan American Games, that would, you know, have you an A card and the B was someplace in between.

THE COMMISSIONER: We've heard someplace, though, you can't receive an A card unless you rank very

high on world standards?

THE WITNESS: Yes, well to win one of ---

THE COMMISSIONER: I think it's been suggested that the test is that unless you really have a good chance of winning a medal at the Olympics, you're not going to get an A card, is that what's happening.

THE WITNESS: I would say it would be fairly difficult. I'm not sure whether it's a medal or being a finalist. I think the ---

THE COMMISSIONER: Well, all right because you have to sort of be in the finals or if you continue your performance you're likely to make the finals of an Olympic competition?

THE WITNESS: Yes, I would think that's right.

THE COMMISSIONER: So, that if I were, say, the top high jumper in Canada but I don't rank, say, the top eight in the world, then I would not be a carded A candidate, is that about right.

THE WITNESS: You probably wouldn't be carded as A candidate. Now, with the high jump, at one time, Canada was ranked very high in the world so, you know, again....

THE COMMISSIONER: Well, that's why I selected high jump on this scenario that I'm thinking --

dreaming about.

Well, the funding, as I understand it, is to encourage those who perhaps could not afford it on their own to be able to pursue their athletic pursuits without having to get a job and also their academic pursuits, as well, if they take an advantage of it, isn't that the point?

THE WITNESS: Yes, I think the funding was set up in such a way that if you were attending the university, you know, there was certain dollars that would going towards your tuition.

THE COMMISSIONER: There is allowance for tuition as well as a monthly allowance of whatever it is?

THE WITNESS: Yes, that's true.

THE COMMISSIONER: And, but where, in your experience, where the athlete is taking advantage of the scholarship aspect of it or just devoting themselves to their athletic pursuits?

THE WITNESS: Some of the athletes were and some of them weren't and it fluctuated from year-to-year. In a year like 1980 or 1984, you know, an Olympic year, the athletes often concentrated, you know, more on their training than, you know, than on their studies.

THE COMMISSIONER: But, if the funding is only for those who have a chance of being a finalist in

Olympic competition, then those of our best Canadian athletes, who may not be quite that good but who should be encouraged to pursue athletic competition and scholarship pursuits, as well, would not be eligible, would they?

I have no views on this; I'm just trying to find out whether that's the appropriate way of looking at a government funding program for athletes, if it's sort of conditional upon an Olympic chances.

THE WITNESS: I don't think it's conditional upon Olympic chances, you know, per se by itself because the ---

THE COMMISSIONER: But why shouldn't our best Canadian athlete, in a particular sport, if he wants to pursue athletic competition, do the best he can and pursue his studies and can't afford to do both without help, otherwise they have to get a job, would that not be one approach to funding our athletes?

THE WITNESS: Sure, that could be one approach, yes.

THE COMMISSIONER: Now, I am interested in this athletic reserve fund that you're speaking of.

As I understand it, the theory is that as long as you're in international competition that these monies that you are earning, in a sense, are not treated as your own money at that time. They're put into a fund

and theoretically to await your retirement from -- from your competition, is that the idea?

THE WITNESS: That's correct.

THE COMMISSIONER: So, it's not intended to be your own money at that stage? It is to try to keep your so-called athletic status -- what's the theory of that?

THE WITNESS: I think it's to keep your amateur athletic status.

THE COMMISSIONER: "Amateur" obviously in quotation marks?

THE WITNESS: Yes.

THE COMMISSIONER: And without giving the details of it, in some cases high performance athletes can make a very, very substantial amount of monies?

THE WITNESS: Yes, some.

THE COMMISSIONER: As we have heard in Mr. Johnson's case while pursuing their athletic competition and still preserving that amateur status, right?

THE WITNESS: That's correct.

THE COMMISSIONER: But it is not considered to be his or her own money at that stage; that's supposed to be waiting there, it's invested, and it's not the same as handing all the money over to the athlete when he gets it from the sponsors or from the track meets or from the commercial endorsements?

THE WITNESS: I am not sure whether they consider that is the athlete's own money and they are, you know, holding it there for them or not.

THE COMMISSIONER: Well, if the athlete -- unless it's for some purpose, then it is a pure subterfuge to put it through a fund if the athlete can take whatever

he wants out at that time. It's the same as handing it right to him.

THE WITNESS: No, there are rules and controls on what, you know, he is allowed to take out of that, you know, out of the fund. That is why they have the, you know, the person in Ottawa who happens to be Steve Findlay looking after the fund to make sure that it is used according to the rules as they exist.

But in one of their meetings, the meeting in May that was at Mr. Savage's office, this was one of the questions that was brought up. And I believe it was brought up by Glen Caulkins and that was --

THE COMMISSIONER: Well, you questioned some of the wisdom to put it in one sense of some of these very substantial funds that were being taken out by Mr. Johnson. I am accepting the fact, I guess this was a much larger trust fund than they had experience with before, I suspect.

THE WITNESS: Yes, it was.

THE COMMISSIONER: But did you speak to the CTFA and ask them why would you authorize these, you know, very, very extravagant expenditures even for a very wealthy young man?

THE WITNESS: The CTFA -- now, by the CTFA, Steve Findlay and I had talked about this on, you

know, more than one occasion.

THE COMMISSIONER: And their view was in a sense I guess, well, it's his money, he can take it if he wants to.

THE WITNESS: No, they dragged their feet as much as they possibly could as well. And again, I think that, you know, some of these questions Steve would have to answer.

THE COMMISSIONER: But you are the only one I have to question right now, so.

THE WITNESS: Yes. Yes, like Ben would make contacts --

THE COMMISSIONER: Because you are dealing directly with the CTFA on these issues?

THE WITNESS: Ben sometimes would deal with the CTFA directly himself on these issues as well.

THE COMMISSIONER: Well, I am not just singling out Ben. Did you deal with CTFA for any of the other athletes you were friendly with? Did you ask -- I gather you have told us on some occasion you would deal with the CTFA to support, if you like, the requests of Mr. Johnson for monies. You did that on occasion?

THE WITNESS: Yes, and on occasion with -- for Angella Issajenko.

THE COMMISSIONER: As well?

THE WITNESS: Yes.

THE COMMISSIONER: And that would be the same response, I guess, would it?

THE WITNESS: Yes.

THE COMMISSIONER: All right. Well, thank you, very much, Mr. Earl.

THE WITNESS: Thank you.

THE COMMISSIONER: Mr. Armstrong.

MR. ARMSTRONG: Yes. Yes, we are ready to call our next witness, who is Mr. Desai Williams. He is here. If we could take the usual moment to pass the baton.

THE COMMISSIONER: Yes. Thank you, Mr. Earl.

--- Short recess.

--- Upon resuming.

THE COMMISSIONER: Mr. Armstrong.

MR. ARMSTRONG: Yes, Mr. Commissioner. The next witness as I indicated is Desai Williams. He is present and ready to be sworn.

THE COMMISSIONER: Mr. Registrar.

DESAI EMPSON OTHMAN WILLIAMS: Sworn.

THE COMMISSIONER: Have a seat please. All right.

MR. ARMSTRONG: I will have a couple of questions for you in a moment.

THE COMMISSIONER: Thank you.

THE REGISTRAR: Will the photographers please leave. Thank you.

THE COMMISSIONER: All right. Mr. Armstrong.

MR. ARMSTRONG: Thank you, Mr. Commissioner.

--- EXAMINATION BY MR. ARMSTRONG:

Q. My first question is how do you spell your second name?

A. E-M-P-S-O-N.

Q. Empson?

A. That's right.

Q. Now, Mr. Williams, you were born in the island of St. Kitts on June 12, 1959?

A. That's right.

Q. And you came to Canada in 1972?

A. '73.

Q. '73. And I might as well ask this question right now: I take it when you came to Canada in 1972 or '73, you had not met Dr. Astaphan?

A. No.

Q. And in Canada you settled in Toronto and attended schools at the Westwood Public School, Northview Heights Secondary School, and then went on to university from there, is that so?

A. That's right.

Q. And you attended Clemson University in South Carolina between 1978 and 1980 on a full track scholarship?

A. That's right.

THE COMMISSIONER: '78 to '80, were you there for two years?

THE WITNESS: Yes, we went winter of 1978.

THE COMMISSIONER: All right. You were there in '79?

THE WITNESS: Pardon?

THE COMMISSIONER: You were there in '79, as well?

THE WITNESS: Yes, sir.

THE COMMISSIONER: You came back in 1980?

THE WITNESS: I came back September, 1980.

THE COMMISSIONER: September 1980, all

right.

MR. ARMSTRONG:

Q. I understand from evidence we have heard earlier that Clemson is on the semester system. So, you would have started in the winter semester in January of 1980?

A. Exactly, that's right.

Q. And then when you came back from Clemson in 1980, you enrolled at York University and began a course of studies in the physical education degree program?

A. That's right, sir.

Q. Indeed, I think you told me you were only three credits short of your degree in phys. ed. at York?

A. That's right, sir.

Q. All right. Then taking a moment or two as we have had with others who have testified before you, concerning your track and field career, you first of all started running in high school in 1977 in a competitive way?

A. That's right, sir.

Q. And it was indeed in 1977 that a friend of yours, Ray Daley, suggested that you join the

Scarborough Track and Field Club?

A. Correct.

Q. And like many others we have heard from, when you joined the Scarborough Track and Field Club in 1977, you, as a sprinter, found yourself under the coaching direction of Charlie Francis?

A. Correct.

Q. Was Peter Cross there as well at the time?

A. Peter was there, but he didn't get involved with me until 1978 at Clemson University.

Q. All right. We will come to that in a moment or two. Your events, of course, as is well-known by those of us who have been involved in this hearing, and those of us who follow your sport, know that you are a 100 meter and 200 meter sprinter?

A. Sometimes 400, it depends.

Q. And although other names have been bandied about, one can't forget that for a number of years, of course, you were Canada's leading sprinter?

A. Yes, I guess so. You can call it that.

Q. Sorry?

A. You could say that.

Q. Well, I just said it and --

THE COMMISSIONER: Mr. Armstrong, he is not

familiar with modesty.

THE WITNESS: It's a fair assessment.

MR. ARMSTRONG: Thank you.

MR. ARMSTRONG:

Q. All right. And indeed you quickly became in either 1977 or 1988, and I believe it was your first season, you became a member of Canada's national team.

THE COMMISSIONER: '77-'78.

THE WITNESS: '77-'78, that's right, sir.

THE COMMISSIONER: You said '88.

THE WITNESS: '77 actually.

MR. ARMSTRONG:

Q. I am sorry. All right. And in 1977, in the national championships, you were second in the 100 meters, and first in the 200 meters?

A. I think that's correct.

Q. And that's the full national championships, that's not just as a junior? Am I right?

A. No, that's the national senior championships.

Q. All right. And then in 1978 it was that you went to Clemson, but you continued in the summers even

while at Clemson to be a member of Canada's national team?

A. That's right.

Q. And you were a member of Canada's national team in 1978 when you participated in the Commonwealth Games in both the 100 meters and the 4 X 100 meter relay team?

A. Correct, sir.

Q. And then moving along picking out some of the many highlights of your career, in 1979 you were a member of the Canadian team participating in the Pan-American games?

A. In '79?

Q. '79.

A. That's right.

Q. And indeed you ran in the 4 X 100 relay team, the 100 meters, and 200 meters?

A. That's correct.

Q. And for some reason on the printout I have they show the 4 X 100 in one place coming second and another place coming fifth. I perhaps should have ignored the latter entry, but do you recall --

A. The fifth.

Q. All right.

Q. Sorry about that.

A. No problem.

Q. Then in the 100 meters in the Pan-American games in 1979 you finished third?

A. In 1979?

Q. Yes.

A. No.

Q. That's what I have got here?

A. I wish.

Q. All right.

A. No, that's correct -- that's incorrect, I should say.

THE COMMISSIONER: You won.

MR. ARMSTRONG:

Q. Okay. And then in 1979, I have got more good news for you on my sheet in the national championships, but maybe I better let you tell me. Do you recall how you did in the 100 and 200 meters?

A. I won both events.

Q. All right. That's what my sheet says as well. Then moving along to 1980, looking at your career both in Canada on the national team and south of the border in Clemson, that year in 1980 you competed in the NCCA Championships, which are the national U.S. Collegiate championships --

A. That's correct.

Q. -- for the 200 meters?

A. That's correct.

Q. And indeed made the finals in the 200 in the United States that year; am I right?

A. That's correct.

Q. Then in the national outdoor championships in Canada 1980, you again stood first in both the 100 meters and 200 meters?

A. That's correct.

Q. 1980, of course, was an Olympic year in which Canada among other countries did not compete, but you were a member of Canada's Olympic team that year?

A. That's a fair assessment.

Q. And we have heard that there were a number of Olympic alternative meets arranged in 1980, and you participated in those meets in Holland, West Germany, and Philadelphia in regard to both the 100 meters, 200 meters, and the 4 X 100 at various meets?

A. That's correct.

Q. All right. And indeed I see in one of those meets in West Germany, you finished first in the 100 meters?

A. I believe you are pretty much correct in that, yes.

Q. All right. And, of course, and

perhaps I just covered this, in the national championships that year again I think I did, you stood first in both the 100 and 200?

A. You did, yes.

Q. Sorry. Then looking to 1981, again it looks like a successful European tour with first place finishes in both the 100 and 200 in Furth, West Germany, and also at a meet in Czechoslovakia; is that correct?

A. That's correct.

Q. And again looking at the national championships in 1981 in Canada, you finished first as almost seems to be a habit now in both the 100 and 200 meters?

A. That's correct.

Q. All right. Then looking at 1982, picking out two or three of the highlights, you were part of the Canadian team participating in the Eight Nation Invitational Meet in, I believe it was in Tokyo, leading up to the Commonwealth Games?

A. That's right.

Q. And that was the meet that included Canada, the United States, Russia, and a number of other major sporting nations?

A. That's right.

Q. And my sheet tells me, and I hope it's correct, that you finished first in the 200 metres in that meet?

A. Correct.

Q. Correct?

A. Correct.

Q. All right. And then at the Commonwealth Games that year you participated in the 100, 200 metres and 4 x 100 metres relay?

A. Correct.

Q. I'm not so much interested in where you stood in the 100 and 200 metres in the Commonwealth Games, so we'll go directly to the 4 x 100, where as a member of that team, your team finished second?

A. Correct.

Q. And then in 1983, if we could move along to one or two of the highlights there. Again in the National Outdoor Championships in Canada in 1983, you were first in both the 100 and 200 metres?

A. '83, yes, that's correct.

Q. And you also participated in the World University Games; you participated in some of the usual meets in Europe and West Germany, Hungary, in the 100 metres, 4 x 100 relay?

A. That's correct.

Q. Again, as it would appear, finishing well up in the finals in some of those meets?

A. Correct.

Q. All right. Then if I could move along to 1984, which was an Olympic year, you again were a member of Canada's Olympic team?

A. Correct.

Q. And in what events were you chosen to represent Canada in the Los Angeles Games?

A. The 100 metres, 200 metres and 4 x 1 relay.

THE COMMISSIONER: I'm sorry, 100, 200 --

A. And the 4 x 1 relay.

MR. ARMSTRONG:

Q. And in the individual events, the 100 and 200, you reached the semifinals in both of those meets? In both of those events, sorry.

A. Yes, I did.

Q. And in the 4 x 100 relay, as we know, you, as a member of Canada's team, finished third and got the bronze medal?

A. That's right.

Q. Just going back to the individual events in 1984 at the L.A. Games, it was one of those events that I think you missed the finals in a photofinish; am I correct?

A. Yes, it was, something I probably won't forget.

Q. Which event?

A. 100 metres.

Q. 100 metres. And, indeed, that's one -- we don't need to decide the issue here or belabour it, but that's one of the sporting controversies that continues today because a lot of people really think that in that photofinish in the semifinals, it should have been Desai Williams moving on to the finals?

A. That's right.

Q. You don't disagree with that theory?

A. No. Why should I?

THE COMMISSIONER: Was there controversy over the finish?

A. Yes, there was. It was like basically a dead heat, you know, ran identical times, and, I guess, considering the meet being in the U.S., obviously the favouritism is going to be towards the U.S., so I got left out.

MR. ARMSTRONG:

Q. So then moving along to pick up some of the highlights in 1985, in the National Outdoor Championships in Canada, in the 100 metres you finished second. Did you run in the 200 metres?

A. In '85?

Q. In '85.

A. I can't recall. I probably did.

Q. I don't seem to have a note of it here. And then you did the usual European tour running both the 100 metres and 200 metres with a first-place finish in Bern, Switzerland, in the 100; also a first-place finish in the 200 metres in Bern, Switzerland?

A. That's right.

Q. And also, again, high placings in other European meets in 1985?

A. That's right.

Q. Then moving along, Mr. Williams, to 1986, you again were a member of Canada's national team in the 100, 200, 4 x 100 relays. The significant event of 1986 was the Commonwealth Games where in Edinborough you ran, again, the three events, 200, 100 and 4 x 100 relay?

A. I just ran the 100 and 4 x 1 relay.

Q. And how did you do in the 100 metres?

A. Came fourth.

Q. That was the final?

A. Yes.

Q. And in the 4 x 1, how did the team do?

A. We won.

Q. Won the gold medal?

A. That's right.

Q. Then, if we could move along to 1987, you again were a member of Canada's national team, participating in the National Championships where, again, in the 100 metres, you finished second?

A. That's right.

Q. I take it Ben Johnson finished first that year? We've heard that in the evidence.

A. That's right.

Q. Then you did the European tour again that year, participating in the 100-metre sprint and also

the 4 x 100 relay?

A. Correct.

Q. Moving along to 1988, we've heard a lot about the various meets that the Mazda Group attended in 1988, and you were, by that time, a member of the Mazda Group and attended the various meets during both the indoor and outdoor season?

A. Correct.

Q. In 1988?

A. Correct.

Q. All right. And in the National Championships in Ottawa last August, in the 100 metres, you finished second in a time of 10 flat?

A. Correct.

Q. Was that your best time --

A. That was wind-aided, so it wouldn't count.

Q. You didn't have to mention that here.

A. Well, it's in the record books as wind-aided so --

Q. Okay. Now --

THE COMMISSIONER: Was that your best time, though, wind-aided as it was?

A. Yeah.

THE COMMISSIONER: What's your best record

for 100 metres?

A. Well, I still think the 10.03 I ran in Nice in 1985, but there was some discrepancy about that, so who's to say.

THE COMMISSIONER: Is the 100 metre your best event or is the 200?

A. No, I think the 200 is my better race.

MR. ARMSTRONG:

Q. Then you, of course, were a member of the Canadian Olympic team in Seoul in 1988, and you ran 10.11 in the final in Seoul?

A. That's right.

Q. Finishing originally 6th, I guess.

A. Well, tied for 6th, basically, 6th, 7th. Same difference anyways.

THE COMMISSIONER: In the finals?

A. Yes, sir.

THE COMMISSIONER: There are eight in the race, as I recall?

A. Pardon?

THE COMMISSIONER: There are eight finalists? You made the finals?

A. Yes, sir.

MR. ARMSTRONG:

Q. And, indeed, 10.11 was your best time in 1988 for the 100 metres, I take it, was it?

A. Yes.

THE COMMISSIONER: Did you run the 200 metres as well?

A. No, I didn't.

THE COMMISSIONER: Was there any reason?

A. No, I was not picked for the team for the 200 metres.

THE COMMISSIONER: You weren't picked for the 200 metres?

A. No, I wasn't.

MR. ARMSTRONG:

Q. Then as well in the Seoul Olympic Games, you were a member of the 4 x 100 relay team which made the finals and finished 7th?

A. Correct.

THE COMMISSIONER: Who was on the team, finally, in that 4 x 100?

A. Myself, Atlee Mahorn, Cypriani Enwanni and Brian Morrison.

THE COMMISSIONER: There was Williams, Mahorn -- who was the third?

A. Cypriani Enwanni.

THE COMMISSIONER: All right. And Morrison?

A. That's right.

THE COMMISSIONER: That's the first time you all ran together; is that right? As a team?

A. Yes, as a team.

MR. ARMSTRONG:

Q. I'm going to bring us back to that relay team and relay event a little later in the evidence. Now, I want to take you back, Mr. Williams, to the period of time that you were at Clemson, starting in January 1978 and running through, I think you said, until September of 1980. You told us you went down there on a full track scholarship?

Q. That's right.

Q. When you went down, were there other Canadians from the Scarborough Optimists Track and Field Club who were there as well?

A. That's right.

Q. Who were they?

A. Raymond Daley, Dave McKnight, Cornell Messam, Terry Goodenough, I think, and a chap from Windsor. I think his name was -- a long-jumper, anyways. I can't remember, a long-jumper, triple jumper. We all

went down together. That was one of the main reasons why I went to school in the States, basically, because --

THE COMMISSIONER: That's where Peter Cross was at that time also?

A. That's right. Well, we all went together. Peter -- it was one big move. Everybody went together. It was a package deal, put it that way, but no cash was involved.

MR. ARMSTRONG:

Q. This was the Canadian takeover of Clemson, was it?

A. Sort of. We wanted to basically, I guess, have a training camp, you know, facility south of the border where we could have good weather. And what better environment to have it other than, you know, at Clemson where a lot of the kids could go to the university and get an education.

THE COMMISSIONER: Was the scholarship provided by Clemson?

A. That's right.

MR. ARMSTRONG:

Q. And we have heard from other witnesses that the scholarship was a full scholarship in the sense

that tuition, books, room and board?

A. Everything included, no half, no books. You know, everything was included. It was a complete package.

Q. Now, when you were in Clemson --

THE COMMISSIONER: What course were you taking at Clemson?

A. I was in economics.

MR. ARMSTRONG:

Q. And you would then, in '78, '79, '80, what would you have done, three or four semesters?

A. I would have done -- well, winter of '78, that's one, until September, is one semester. So you figure, a year and a half basically.

Q. So it looks like three semesters?

A. Yes, three semesters.

Q. And, presumably, you got some credit for what you did at Clemson when you went to York?

A. Sure did. I wasn't going to waste the trip.

Q. And when you were at Clemson, Mr. Williams, did you become aware or did you ever become party to any discussions among athletes there, without naming names, about the use of anabolic steroids?

A. In what year are you talking about, in '78, when we got there, or throughout that period of time that I was there?

Q. Well, let's just cover it in a general sense first.

A. Well, no, we really didn't sit down and talk about anything. No athlete got together and talked about anything. We did not have, as far as I was concerned, have a discussion with any coaches about anabolic steroids.

Q. I wasn't particularly referring to coaches, but did you become aware at some point in time --

A. Yes, I did.

Q. You had better just wait until I finish the question. Did you become --

A. I know. Yes, I did.

Q. Did you become --

A. Yes, I did.

MR. ARMSTRONG: I think we're going to need an umpire here.

THE COMMISSIONER: I think so. Well, I think it's usually wise --

MR. ARMSTRONG: He's swinging at the ball before it's pitched.

THE COMMISSIONER: It's usually wise to wait

for the full question to be completed. But, anyway, I think you said yes, you did.

A. Yes.

MR. ARMSTRONG:

Q. Now that you've knocked that one out of the park, what do you think the next question is?

A. I'll knock it out of the park again, too.

Q. All right. Well, I'll just sit down. You just say, "Yes I did," and I'll sit down. Okay.

Then how, Mr. Williams, did you become aware of some discussion about the use of anabolic steroids? Just tell us about it, please, in your own words.

A. Well, I mean, we all have the room together, myself, Dave McKnight, Raymond Daley and Cornell Messam. All four of us roomed in one dorm. It was pretty big. And one morning, basically, I got up and there was a vial sitting on the dresser. Like the athletes, like I said before, did not discuss anything. We did not go through any discussion about anything. It was just there. That's my knowledge of what transpired.

Q. And what was in the vial?

A. I would assume it was steroids.

Q. Were they pills or injectables?

A. They were pills.

Q. Do you remember now the colour of the pills?

A. Well, I didn't take a look at them anyway so no, I don't remember the colour of them.

Q. Well, in any event, you say you did not take any steroids while you were at Clemson?

A. No, I didn't.

Q. But is it fair to say from what you have just told me that you deduced that there were steroids there available to track athletes if they wanted to take them?

A. I would assume so, yes.

Q. I don't want you to assume so.

THE COMMISSIONER: Well, you saw them there. They were there on your dresser?

A. Not my dresser.

THE COMMISSIONER: No, I know, the dresser in the dorm.

A. Yes, they were.

MR. ARMSTRONG:

Q. And while you were a track athlete attending university at Clemson during those years, did you become aware that anabolic steroids was something that

was emerging as a drug or drugs that were used by some track athletes?

A. You could say yes.

Q. All right. Then when you came back to Canada in September of 1980, did you come back to the Scarborough Optimists Track and Field Group?

A. Yes, I did.

Q. And was Charlie Francis your coach at that time?

A. Yes, he was.

Q. I take it also that during the summer of 1978 and the summer of 1979, from the record we've just gone through, that you continued to run out of the Scarborough Optimists Track and Field Club?

A. Yes, I did.

Q. And Charlie Francis was your coach during that period of time as well?

A. You can say that, yes.

Q. Perhaps I had better just cover this, although I covered it with Mr. Sharpe and one or two other witnesses. Was the reason for your coming back to Canada in the fall of 1980 attributable to the fact that Mr. Cross was going to leave or had left and the fact that a number of you weren't, quite frankly, all that happy at Clemson?

A. Well, I mean, my main reason why I came back is because I heard, you know, that Peter Cross was about to leave and, you know, he had some problems and he figured he wasn't being paid enough back then and he decided to pack it in. So I got, you know, the vibes from Peter so I went home.

Q. And indeed, the other Canadians who were there at that time eventually came home as well?

A. Yes.

Q. All right. Then I want --

A. Except a few. Raymond Daley and Cornell Messam stayed on.

Q. Okay. Then I want to take you, Mr. Williams, to the fall of 1981 and, in particular, refer you to some evidence that Mr. Francis gave.

I understand that at least some of Mr. Francis' evidence you're aware of, having watched it on television?

A. Very sparlingly. Most of the time I was away, so....

Q. Oh, yes. You were in ---

A. In Budapest.

Q. You were running in Budapest?

A. That's right.

Q. All right. In any event, when Mr.

Francis testified, he indicated that in perhaps the late summer or early fall of 1981, he had a discussion with you concerning your position in the track and field world, your prospects for the future, and he indicated that he raised with you the subject of anabolic steroids?

A. That's incorrect.

Q. That's incorrect?

A. That's right.

Q. You don't recall any such discussion?

A. No, I don't.

Q. He then indicated that he went with you and others, but leaving the others aside, but that he went with you to visit the office of a doctor in Toronto whose name we now know to be a Dr. Koch?

A. That's right, but how could Charlie go with me to visit Dr. Koch when Dr. Koch is not my doctor?

Q. Well, unfortunately, the way this operates is I get to ask the questions, you get to answer them. And so I'm not going to answer that.

But, in any event, Mr. Williams, did Mr. Francis then suggest that you go to -- with him to Dr. Koch's office?

A. Charlie took me to Dr. Koch's office.

Q. All right. And how did that arise?

A. Charlie said he had something to do

after workout in the morning and if I wanted to come along with him. I said fine. And we ended up down on Bloor Street.

Q. Bloor Street?

A. That's right?

A. Bloor west, actually, west of Varsity Stadium.

Q. All right. And you went with him?

A. That's correct.

Q. And when you ended up west of Varsity Stadium on Bloor Street, what happened next?

A. He said he was going to see his doctor.

Q. And until that moment in time you did not know you were going to see a doctor?

A. No, I don't.

Q. Did he not indicate to you why he asked you to accompany him from the start?

A. No, he didn't. He didn't mention anything to me.

Q. All right. Did you ---

THE COMMISSIONER: Before that, did you ever indicate to Mr. Francis this incident about the anabolic steroid in Clemson?

THE WITNESS: No, I've never spoken to Charlie about anabolic steroids when I was at Clemson.

THE COMMISSIONER: You never discussed with him that you heard about it in Clemson or ---

THE WITNESS: The first time that we ever discussed it after we got back from Seoul and Charlie said to me ---

THE COMMISSIONER: I'm going back earlier, though. When you came back from Clemson?

THE WITNESS: I did not, no, sir.

THE COMMISSIONER: Well, if he has testified that you did, how would he know that you had actually seen steroids in Clemson?

THE WITNESS: Well, he spoke to Tony Sharpe.

THE COMMISSIONER: I see.

MR. ARMSTRONG:

Q. Well, do you know that's how he knows, he knows from Tony Sharpe?

A. Well, if he didn't know from me and I was the only one that came back ---

THE COMMISSIONER: Was Tony Sharpe at Clemson.

THE WITNESS: Yes, sir.

MR. ARMSTRONG:

Q. Tony Sharpe did not go to Clemson until

January of 1980?

A. January of 1980?

Q. Yes?

A. I don't think so.

Q. I'm sorry, January of 1979?

A. That's right, sir.

Q. And this incident that you've described with the vial of pills, steroids appearing on the dresser in the room that you shared, when was that?

A. That was in '79, if I recall properly, in '79.

THE COMMISSIONER: Was Tony Sharpe in the same dorm?

THE WITNESS: No, he wasn't.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. In any event, Mr. Williams, tell me please, or tell the Commissioner please, what happened when Mr. Francis said he was taking you into his doctor's office and before you answer that question, can you first of all tell me when do you recall this being, approximately?

A. It had to be probably in the fall of '81.

Q. All right. And -- okay. Then would you answer the next question, I'm sorry to be confusing. When -- what happened? Just give us your better recollection?

A. My best recollection of the story is, Charlie said he's going downtown and he didn't tell me anything. He just asked me if I wanted to go a come along with him. I said fine, after the morning workout.

We got to the doctor's office. I just assumed that he's going to see his family doctor. We went upstairs, Charlie went into the room. I was outside sitting down. The next thing I know, he said come on in.

I got on the table and the guy pretty much assessed me at the time because Charlie, I think -- at that point Charlie thought that I had an imbalance between the left and the right hamstring.

So, the guy assessed me and Charlie -- at that point, I did not know anything and Charlie basically persisted to the guy that maybe I should do Dianabol and I said -- the doctor himself said no, this guy is a pretty strong guy, he's young, just leave him alone. I don't want to get involved in this thing.

And as far as I know, Charlie basically persisted on it and I think the doctor went downstairs, got some stuff and when I got outside, now, to the car,

Charlie gave me a vial.

Q. What what was in the vial?

A. I'll assume anabolic steroids.

THE COMMISSIONER: You mean a bottle?

THE WITNESS: A vial.

THE COMMISSIONER: A vial. A liquid?

THE WITNESS: No, sir.

THE COMMISSIONER: A vial with pills in it?

THE WITNESS: Yes, sir.

THE COMMISSIONER: I see.

MR. ARMSTRONG:

Q. And why do you say, I'll assume it's anabolic steroids?

A. Well, I mean ---

Q. Did he not tell you what it was?

A. That was the discussion in the room at the time.

Q. Now, was it an usual thing for Charlie Francis just to say, 'Hey, Desai, I'm going downtown, I have a few things to do; come with me'?

A. Many a time we've done that. I mean, Many times he's going to, you know, an antique shop or something down on Dupont and we tag along.

Q. And when he told you he was going in to

to see his doctor, you thought he was just going to see him? You didn't think it involved you at all?

A. No, I didn't. Charlie knew my outlook on the whole scenario. Charlie knew exactly, you know, my thoughts on anabolic steroids at the time.

Q. Well, had you ever talked to Charlie Francis about anabolic steroids?

A. Well, I mean, it's come up in conversations before.

Q. And when was that?

A. Well, he spoke to Angie about it. And, I mean, we knew exactly what was going on.

Q. Well, what? You knew that Angella Issajenko was taking anabolic steroids?

A. That's right. He said that.

Q. All right. And are you saying you were opposed to ---

A. Yes, I was.

Q. ---taking anabolic steroids?

A. Correct.

Q. And you, up to that point in time, had never taken anabolic steroids?

A. Correct.

Q. And Dave McKnight, was he one of your roommates?

A. Yes, he was.

Q. In Clemson?

A. Yes, he was.

Q. And if he were to say that you took anabolic steroids at Clemson, would he be incorrect?

A. Yes, he would be.

Q. Then Mr. Williams, just so I understand it, we've got a picture here of Charlie Francis just simply saying to you, 'Desai, jump in the car, I've got a few things to do downtown after practice.'.

He drives down to Bloor Street, you park the car somewhere west of Varsity Stadium and he then tells you he's going into his doctor's office?

A. That's correct.

Q. And you sit in the waiting room and when you get in the office, he goes in and speaks to the doctor and you then go into the office?

A. Correct.

Q. He examines you in respect to some hamstring injury?

A. Correct.

Q. And then there is a discussion about anabolic steroids?

A. Between Charlie and the doctor, correct.

Q. It didn't involve you at all?

A. What would I know about anabolic steroids to be discussing it with the doctor, sir?

THE COMMISSIONER: I'm sorry, I didn't hear the answer?

THE WITNESS: I said to him, what would I have known about anabolic steroids to discuss it with Dr. Koch?

MR. ARMSTRONG:

Q. You told me a few minutes ago that, at least you had been involved in discussions concerning --

A. I didn't say.

Q. ---concerning Angella Issajenko and Charlie Francis?

A. I didn't say I was involved in discussions with Angella. I said, I've heard.

Q. I see. You were just a passive recipient of the information?

A. You can call it that. But at the time also, I was living in Scarborough and if I had a morning workout, it would have been pretty difficult for me to commute back to Scarborough and back down again to the track for 3:30 practice.

Q. All right. Now, when you say that this

meeting at the doctor's office was in the fall of 1981, that of course coincides more or less with the evidence of Mr. Francis.

I'm going to suggest to you, Mr. Williams, that maybe both Mr. Francis and you are wrong and that, indeed, it was in April of 1982 that you went to Dr. Koch's office, in particular on April 12th, 1982.

Would, if I were to suggest that to you, would you disagree on the difference between a few months?

A. Well, I can see your assessment or whatever would be, you know, like I said, you know, I figured it out that it would have been the fall of 1981.

Q. I'm sorry, I'm not following. You say you think it was the fall of 1981?

A. That's right.

Q. but, if I were to suggest to you, maybe you're wrong, maybe Charlie Francis is wrong, that it was April of 1928, would you disagree with that suggestion?

A. I don't think I will.

Q. All right. Were you ever at Dr. Koch's office on any other occasion but the one occasion that you've just described?

A. Just one time.

Q. Just the one time?

A. Yes, sir.

Q. Now, I'm just going to show you a record of your attendance at Dr. Koch's office on April the 12th, 1982, all right?

A. Mm-hmm.

Q. And I am just going to read that with you -- Mr. Commissioner, we will be entering this in evidence at the appropriate time but....

THE COMMISSIONER: Thank you.

MR. ARMSTRONG:

Q. But, it's a bad photocopy but Dr. Koch tells me that at the top, the words are general assessment and I just want to read the note with you.

"Six weeks ago, tore left semi-memranosis of hamstring group. Much improved now. Also wants to go on D's..."

That's D's.

"...Probably doesn't need to as he's in great shape. On examination, healthy male."

And then there is a reference to some lab tests.

Now, Dr. Koch tells me, and I expect he'll testify, that this is one note of that visit on April the 12th, 1982 by you to his office. Okay?

A. Mm-hmm.

Q. And he -- you'll notice the note that said, "Also wants to go on D's"?

A. I see that.

Q. All right. And do you have any idea what that might refer to?

A. Well, that's the conversation that he had with Charlie. That's not me talking to Dr. Koch.

Q. All right. You don't, of course, see any reference in this note to Charlie, do you?

A. I don't see any reference in it to Charlie, no, I don't. But I'm telling you that's the conversation that Charlie had with Dr. Koch. I did not talk to Dr. Koch about going on Dianabol.

Q. Now, when Dr. Koch writes this note however, and says, "Also wants to go on D's", the --

THE COMMISSIONER: Would that be Dianabol?

THE WITNESS: Pardon?

THE COMMISSIONER: Would that be Dianabol, the D's?

THE WITNESS: I assume that's what the D's are.

MR. ARMSTRONG:

Q. And indeed, the conclusion that one draws from that, Mr. Williams, is that it was you who was

expressing the wish to go on Dianabol, wouldn't you agree with me?

A. You can assume that, but I'm telling you that I did not talk to Dr. Koch about going on Dianabol.

Q. In any event then, this written record ---

THE COMMISSIONER: Did Mr. Francis say that to the doctor, that you wanted to go on Dianabol?

THE WITNESS: Charlie was the one that went in and spoke to Dr. Koch.

THE COMMISSIONER: You were there. I just wanted to get it clarified, you were there?

THE WITNESS: He spoke to Dr. Koch.

THE COMMISSIONER: And did you say anything at all when you were there?

THE WITNESS: I was startled at the time. I just said, you know, this is outrageous, basically to my own self, right, and I was surprised when I got downstairs that Charlie slipped me this bottle.

THE COMMISSIONER: What did you do with it?

THE WITNESS: I threw it away.

THE COMMISSIONER: Right then?

THE WITNESS: No.

THE COMMISSIONER: When?

THE WITNESS: Because I couldn't throw it away in Charlie's presence because I knew what Charlie's outlook were. It's either, you do what I do or the highway.

THE COMMISSIONER: When did you throw it away?

THE WITNESS: I threw it away when I got home that same evening. Because, at the time, I was living at home with my parents.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. So, when the doctor writes down this note, "Also wants to go on D's", Dianabol, the doctor has not written an accurate note back on April the 12th, 1982?

A. He had a written a note but it wasn't in reference to me talking to the doctor. As I said before, I did not talk to Dr. Koch.

Q. Well, he's written the note. The only other possibility is, as the Commissioner suggested, that it was, from your evidence at least, that it was Charlie Francis saying that Desai Williams wants to go on Dianabol?

A. That's correct.

Q. And if he said that, of course, he

would be completely misrepresenting your views according to your evidence?

A. Well, why would he want to put Charlie's name on my record or my sheet?

THE COMMISSIONER: No, he didn't understand the question. If Mr. Francis said that, in your presence to the doctor, then he was misstating the facts?

THE WITNESS: Yes, he was.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. Well, when you got into the doctor's office and the subject of steroids came up, you -- by that time you said that Charlie Francis was well aware of your views that you were opposed to the steroids?

A. Charlie went into the doctor's office first, left me in the waiting room and then called me in after, okay, and then the discussion came up while we're there and, as you can tell, the doctor said, also, that this guy is fit enough, right? Probably don't need them, okay, and that's where I'll leave it.

Q. In any event, I just want to be clear from your evidence that Charlie Francis, at that time, you say, was well aware of the fact that you were opposed to the use of anabolic steroids?

A. Well, I mean obviously, yes.

Q. And did you say in the doctor's office, look, Charlie, I don't want to get involved in this discussion? You know, I'm not in favour of using anabolic steroids?

A. I already just told you exactly what Charlie's philosophy was. It's either my way or, you know...

Q. Or the highway?

A. Exactly.

Q. All right. And ---

A. And for an athlete just returning from Clemson at the time where the only obvious coach would have been Peter Cross and Peter already left for, I think, the Yukon at the time, where am I supposed to turn for a coach?

Q. All right. Well, was Charlie Francis and Peter Cross the only sprint coaches available in the whole of Metropolitan Toronto?

A. Well, at the time.

THE COMMISSIONER: We have heard, though, that there were several athletes being coached by Mr. Francis that were not on anabolic steroids. There were lots that were not.

THE WITNESS: Several athletes?

THE COMMISSIONER: Yes. We've heard testimony that several athletes being coached by Mr. Francis at the -- was it Scarborough at this time?

THE WITNESS: Scarborough Optomist.

THE COMMISSIONER: Yes. He was coaching them and they were not on anabolic steroids.

THE WITNESS: Yes, that's true.

THE COMMISSIONER: Not everybody was on anabolic steroids and he still coached them.

THE WITNESS: That's true.

THE COMMISSIONER: All right.

THE WITNESS: But if he offered me something and I didn't take it, right, I'm going against the norm.

THE COMMISSIONER: I hear what you're saying. Go on.

MR. ARMSTRONG:

Q. Well, I gather though, from what you said a few moments ago, that unless you went along with whatever it was that Mr. Francis was suggesting, that your only alternative was to go out and run on your own and not be coached by anyone?

A. That's right.

THE COMMISSIONER: Did you tell Mr. Francis that you were going to go ahead -- take the Dianabol?

THE WITNESS: No, I didn't. I didn't say anything to Charlie about it.

THE COMMISSIONER: Well, I gathered you said that unless you took the Dianabol he wouldn't coach you. Is that what you're saying.

THE WITNESS: No, I said if he knew I did not take the stuff, he would not basically coach me, yes.

THE COMMISSIONER: Why you? Because he's made it clear that he did coach many athletes that were not on Dianabol.

THE WITNESS: Yes, but I'm saying, he gave me something ---

THE COMMISSIONER: When Mr. Sharpe discussed the matter with him, he recommended that Mr. Sharpe not take Dianabol -- not take drugs because he didn't think he was good enough to ever make the top grades.

THE WITNESS: Well, I mean, he didn't give me ---

MR. ARMSTRONG: That was Tony Issajenko.

THE COMMISSIONER: Pardon?

MR. ARMSTRONG: Tony Issajenko.

THE COMMISSIONER: No, I'm talking about ---

MR. ARMSTRONG: Not Tony Sharpe.

THE COMMISSIONER: I thought it was Sharpe who said he didn't think -- not Sharpe, I knew it was the

other one.

MR. ARMSTRONG: No, it was Tony Issajenko.

THE WITNESS: It had to be Tony Issajenko.

THE COMMISSIONER: Oh, Tony Issajenko.

MR. ARMSTRONG: You're mixing up the two Tony's.

THE COMMISSIONER: Mark one up for Mr. Armstrong. You're waiting for this chance, Mr. Futerman.

MR. FUTERMAN: I didn't want to interject.

THE COMMISSIONER: Well, Tony Issajenko testified when he went to Mr. Francis and suggest that he go on the steroid program, Mr. Francis said, look it, in a sense you've got to have the cake before you put the icing on it and you haven't got the cake.

THE WITNESS: Okay. That might be true for Tony.

THE COMMISSIONER: But he still continued to coach him.

THE WITNESS: That's true for Tony.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. All right. Then -- just give me a moment.

In any event, if we have your evidence on

this subject then, Mr. Williams, you simply went into this office unwittingly, not knowing that Charlie Francis had a scheme afoot to get the doctor to put you on steroids?

A. You can say that.

Q. That's really what it comes down to?

A. That's what it is.

Q. That he was being so devious that he wasn't ---

MR. FUTERMAN: Mr. Commissioner, I know this witness does not have counsel but I'm sitting here and I'm listening to the same questions being asked eight different ways constantly.

THE WITNESS: That's okay, Mr. Futerman.

MR. FUTERMAN: I think he's answered the question seven times already.

THE WITNESS: That's okay.

MR. FUTERMAN: How long is this going to go on?

THE WITNESS: That's fine.

THE COMMISSIONER: That's all right. Well, I think there's a bit of repetition here, Mr. Armstrong.

MR. ARMSTRONG: All right.

THE COMMISSIONER: You don't have to pursue the matter.

MR. ARMSTRONG:

Q. Then, can I take you along then or can I move you back, please, to the fall of 1981 because I just do want to cover this with you.

Mr. Francis says that he believed that you and Mr. Sharpe, at that time, in the fall of 1981, decided to go on a steroid program and that some Dianabol tablets were obtained and you went on a steroid program, I take it, based on your evidence that that simply is not so, that although at some point you may have been at the doctor's office, whether it was the fall of '81 or the spring of '82 -- it looks like it was the spring of '82 -- if you got steroids, you got them from Mr. Francis and you didn't take them?

A. That's correct.

Q. All right.

THE COMMISSIONER: Perhaps this to be a good time to take the morning break.

MR. ARMSTRONG: Thank you.

THE COMMISSIONER: Thank you. Thank you.

--- Resumed

THE COMMISSIONER: Mr. Armstrong?

MR. ARMSTRONG:

Q. Thank you, Mr. Commissioner.

Mr. Williams, I don't want to dwell on this visit to the doctor's office. There was just one point I wanted to clarify.

When you got out of the doctor's office and left, I think your evidence was that Charlie Francis then gave you a vial of pills?

A. Correct.

Q. And where did he get those, do you remember? Did he just take them out of his pocket and give them to you or did you go to a drug store to get them or how it did that transpire?

A. If I can recall, I think there was a drug store in the same building as the doctor's office and I think the doctor might have went downstairs, came back upstairs and gave them to Charlie in a paper bag.

THE COMMISSIONER: I'm sorry, I didn't hear you. The drug store was in the same building as the doctor's office.

THE WITNESS: If I can recall, yes.

THE COMMISSIONER: Who went?

THE WITNESS: The doctor did.

THE COMMISSIONER: The doctor went down himself to get them?

THE WITNESS: If I can recall, sir, yes, sir.

THE COMMISSIONER: I see.

MR. ARMSTRONG: I don't know. Does this come up a bit.

THE COMMISSIONER: Make your self more comfortable, I think, if you just pull your chair in a bit. You might be more comfortable.

MR. ARMSTRONG: Tip that up, whatever way you want.

THE COMMISSIONER: Give it a tap and make sure it's working.

MR. ARMSTRONG:

Q. All right. We will hear later, Mr. Commissioner, that Dr. Koch's office was in the Medical Arts Building which is at the northwest corner of Bloor and St. George Street.

THE COMMISSIONER: And there is a pharmacy downstairs?

MR. ARMSTRONG: And there is a pharmacy downstairs there.

MR. ARMSTRONG:

Q. And I take it, that that accords with

your recollection, that it was at about Bloor and St. George, this building?

A. Correct.

Q. And there was a pharmacy in the main floor of that building?

A. Correct.

Q. All right. Then, Mr. Williams, I want to move you along to the spring of 1982.

THE COMMISSIONER: Might I just ask the question then, as I understand did you then tell Mr. Francis that you were going to indeed take the Dianabol pills?

THE WITNESS: I did not say anything to Charlie.

THE COMMISSIONER: One way or the other then?

THE WITNESS: No.

THE COMMISSIONER: I see, thank you.

MR. ARMSTRONG:

Q. Then in the spring of 1982, it -- I want to refer you to some other evidence given by another witness, as is my obligation to do so, Molly Killingbeck.

She says that, or she said, that in the spring of 1982, she received some steroids which she

assumed or believed were Dianabol tablets and she said she received those in a decorated pill box and that they were passed on to her by you but that they had come from Charlie Francis. Can you help us, do you remember that at all?

A. I can recall that.

Q. And in the spring of 1982 when Charlie Francis gave you those pills was it ---

THE COMMISSIONER: He hasn't said he has given them to him yet.

MR. ARMSTRONG: Sorry?

THE COMMISSIONER: He hasn't said anything about getting the pills yet.

MR. ARMSTRONG: Well, I thought he said that he agreed with that and I had indicated that Molly Killingbeck had said that the pills had come from Charlie Francis.

THE COMMISSIONER: I think he said that he knows that Molly Killinbeck said that. I'm not sure that he ---

THE WITNESS: He's going by Molly's statement and I'm answering what he said.

MR. ARMSTRONG: Oh, I'm sorry. Then I misunderstood your answer, okay.

THE COMMISSIONER: Yes.

MR. ARMSTRONG:

Q. Let's take it a step at a time.

Molly Killingbeck said that, I'm just directing you to that evidence, do you recall back in 1982, in the spring, that Charlie Francis gave you some pills, Dianabol or steroid pills of some kind, for either you or Molly Killingback or anybody else?

A. I can recall that.

Q. You do recall that?

A. Yes.

Q. And what do you recall of that? What did Charlie say when he gave you the pills?

A. He just gave me a vial and he said, this is for you.

Q. For you?

A. For me.

Q. Did he say anything about Molly Killingbeck?

A. He didn't mention anything about Molly. I assumed that he had probably spoken to Molly.

Q. All right. And Molly says that you gave her some, they were in a small pill box that she kept in her purse. Do you recall that?

A. I did not give Molly any of the pills.

Q. Oh, you didn't?

A. No. Molly took the pills.

Q. I'm not -- well, you better tell me how that arose then, please?

A. Well, at the time, not really to get into my personal life here.

Q. No, I don't want to.

THE COMMISSIONER: No, no.

THE WITNESS: At the time Molly and I were living together. So Charlie gave them to me, I got them and brought them home, I put them down.

And I'll assume that her and Charlie had a discussion about what she was supposed to take or whatever and she probably -- she took them out of the vial. It's -- it was a vial -- it's a Herbal Life vial. It wasn't the regular vial, like what I saw at Clemson.

It was a Herbal Life vial which is a regular vitamin bottle and the stuff was in there.

Q. All right.

THE COMMISSIONER: Well, I'm sorry. I don't quite understand. You know she took them or you just found out now that you took them from you?

THE WITNESS: I just found out from her testimony.

THE COMMISSIONER: So, you didn't know before, then, that she had taken -- where did you keep

this vial?

THE WITNESS: The vial? The vial was always ---

THE COMMISSIONER: You say you brought them home from Mr. Francis?

THE WITNESS: Yes.

THE COMMISSIONER: I'm just trying to understand your evidence. You took them home?

THE WITNESS: Yes.

THE COMMISSIONER: And you put them some place.

THE WITNESS: We usually have, in the kitchen, there was a tray where we usually have, like, the vitamins, like vitamin E and everything else. We usually have them there.

THE COMMISSIONER: And you just put them there along with the vitamins pills and so on?

THE WITNESS: At the time, I did, yes.

THE COMMISSIONER: You didn't know she was taking some of them?

THE WITNESS: No, because Molly and I did not have a discussion at that time about her talking to Charlie or anything. It was after Molly's testimony that I found out that Molly was....

THE COMMISSIONER: Had actually taken them?

You didn't know that at the time.

THE WITNESS: No.

MR. ARMSTRONG:

Q. All right. I am going to take you ahead just a moment if I can, because I don't know whether I have confused you or whether I am just a little confused myself.

Molly Killingbeck did say that when she first got these pills in the spring of 1982, they were delivered to her by you from Charlie Francis and they --

THE COMMISSIONER: She assumed --

MR. ARMSTRONG:

Q. -- were contained in this small pill box.

THE COMMISSIONER: I think she said she assumed they came from Mr. Francis, I think. She was just recounting it.

MR. ARMSTRONG: Well, your recollection of the evidence is better than mine. I think --

THE WITNESS: I think if you look at the tapes again, I think Molly said also that she took them and put them in a pill box and kept them in a purse.

MR. ARMSTRONG:

Q. All right. Be that as it may, then there was also an incident in the fall of 1982 involving a

vitamin bottle that she testified to. And I just wondered if either you or I are confusing the two, because her evidence in that regard was that you had a bottle of pills which she said you purchased from Charlie Francis, you brought the pills from Charlie, placed them in a vitamin bottle, and the pills were either pink or blue. She put them in a trunk, that is the pills in the vitamin bottle in the trunk in the spare room in the cupboard of the spare room, and that she kept her own supply from that bottle in this small pill box in her purse?

A. Everything you said is correct except the part about purchase from Charlie.

Q. All right. You didn't purchase them from Charlie?

A. No, I didn't.

THE COMMISSIONER: Where did these come from then, I am sorry? Where did the pills come from that ended up in the trunk?

THE WITNESS: Those are the same ones that Charlie gave me.

THE COMMISSIONER: I see.

THE WITNESS: Those are the same ones.

THE COMMISSIONER: They went some place from the shelf to the trunk sometime?

THE WITNESS: Yes.

MR. ARMSTRONG:

Q. All right. So, then on your recollection then, there were not two acquisitions, there was just the one acquisition probably in the spring of 1982 in which the pills were contained in a Herbalife bottle?

A. Correct.

Q. Which I take it is a vitamin pill bottle?

A. Correct.

Q. They initially were placed in the kitchen in your apartment, and subsequently moved by whom into the trunk?

A. By Molly.

Q. By Molly into the trunk --

A. Correct.

Q. -- in the spare room. In the cupboard of the spare room?

A. Correct.

Q. All right. Now, Molly Killingbeck testified that although she never saw you take any pills at any time, I think, she made it clear in her evidence, she said that in the fall of 1982, when you -- when she believed you brought the bottle of pills home, she assumed that you took some.

Did you take any pills in the fall of 1982?

A. No, I didn't.

Q. Did you take any steroids of any kind in the fall of 1982?

A. No, I didn't.

Q. Now, in the spring of 1928 when Charlie Francis gave you the vial of pills that you took home and put in your apartment, did you take any of those pills?

A. No, I didn't.

Q. I assume you knew that they were steroids?

A. Yes, I did.

Q. When Charlie Francis gave you the pills in the spring of 1982, did he say anything to you as to who should take them, and in what dosages, and so on?

A. No, he didn't.

Q. So, he just handed them to you and said they are for you?

A. That's correct.

Q. No other conversation?

A. No other conversation.

Q. Did -- and I am sorry, Mr. Williams, to take you back again, but did he, either at that time or at any time, discuss with you the side effects of taking steroids?

A. No, he didn't.

Q. Did he at any time, either at that time, before, or after, discuss with you clearance times --

A. No, he didn't.

Q. -- in relation to steroids?

A. No, he didn't.

Q. Did Charlie Francis ever discuss with you the performance-enhancing qualities, if I can put it that way, of taking steroids?

A. I can say no.

Q. Sorry, you seemed slightly to pause over that question. Is there some doubt about that?

A. I can say, no. No, he didn't really sit down and talk to me anything about if it's going to enhance my performance or side effects or anything, no.

Q. All right. And again, I apologize, I said I wasn't going to dwell on the subject matter that I had already dwelled on, but going back for a moment so I am not faced with a lost opportunity. In the doctor's office when you went to see the doctor, I believe, on April the 12, 1982, was there any discussion in your presence either between Dr. Koch and Mr. Francis, or among the three of you about the side effects of steroids?

A. No, there wasn't.

Q. And any discussion so far as you can recollect about the performance-enhancing qualities of steroids?

A. No, he didn't.

Q. And, again, I think I am obligated to put to you and to give you an opportunity to testify in respect of it.

Mr. Francis did say that in the doctor's office there was some discussion about the side effects, that the doctor expressed a view that taken in therapeutic or small doses, that he did not think that the side effects were significant, but he added the qualification that he did not think that the use of steroids by athletes added to their performance.

Do you recall any discussion like that?

A. No, I didn't.

Q. Now, Mr. Francis has testified and so has Molly Killingbeck testified that in about the fall of 1983 you and Mark McKoy left the group?

A. Correct.

Q. And left the coaching of Charlie Francis?

A. Correct.

Q. And then between the fall of 1983 and the summer-fall of 1987, were you coached by anyone?

A. Ourselves; we self-coached.

Q. When you say ourselves, that's you and Mark McKoy?

A. Correct.

Q. And during that period of time, Mr. Williams, perhaps not all of it, I don't know, you were associated with a group called the Pacific Track and Field Club?

A. Correct.

Q. And that was an organization run by Mr. Tom Jennings?

A. Correct.

Q. And although you wouldn't know it from the name of the organization, he was located in New Hampshire or somewhere on the eastern seaboard?

A. Correct. But it was -- I think it originated because he used to live in California at the time also. And once he moved to New Hampshire, he just decided not to change the club's name. So, he just kept it consistent.

Q. So, he was -- he, however, was not your coach. He was really --

A. Just the manager.

Q. -- for lack of a better word, your manager/agent?

A. Exactly. He was the manager of the group of athletes.

Q. So, you worked out of his organization. And when you were making arrangements to attend various track meets in North American and Europe --

A. Yes.

Q. -- it was he who made the arrangements for you?

A. Correct.

Q. Then in the summer of 1987, there were the World Championships in Rome, am I right?

A. Correct.

Q. Did you attend as part of Canada's national team the World Championships in Rome in 1987?

A. Correct.

Q. And presumably you would have been part of the 100 meters contingent that ultimately led to Ben Johnson setting a new world record in Rome in 1987?

A. Correct.

THE COMMISSIONER: I am sorry, were you back with Mr. Francis at that time?

MR. ARMSTRONG: Not yet.

THE COMMISSIONER: Pardon?

THE WITNESS: No, no.

THE COMMISSIONER: I see.

MR. ARMSTRONG:

Q. But the whole --

THE COMMISSIONER: You were still on your own training, but you became part of the national team because of your record, sort of?

THE WITNESS: Pardon?

THE COMMISSIONER: You were still --

THE WITNESS: Yes.

THE COMMISSIONER: -- you were training, but because of your record, you were part of the national team?

THE WITNESS: Well, we had to earn a spot, yes.

THE COMMISSIONER: You could do that, I am sure.

MR. ARMSTRONG:

Q. And through the years 1983 to 1987, although you had left the Scarborough Optimist group as kind of your home base of operating and moved to the Pacific -- is it the Pacific Coast Club or Pacific Club?

A. Pacific Coast Track Club.

Q. Pacific Coast Track Club. You continued each year to be a carded athlete and a member of --

A. Correct.

Q. -- Canada's national team?

A. But I did not leave the Scarborough Optimists. I was still affiliated with Scarborough. Once I ran in Toronto or in Canada on the whole, I wore my Scarborough Optimist uniform. It's only when I traveled internationally that I ran for Pacific Coast Track Club.

Q. I see. I don't know whether I should take the time to dwell on that, but perhaps I will just ask this question. Was there something significant about that --

A. No.

Q. -- when you are running locally why did you still wear your Scarborough jersey?

A. It's wasn't anything -- it's nothing anything significant. I think it's just a matter of, you know, of -- I have been with Scarborough Optimists for quite a number of years and why, you know, all of a sudden just get up and leave. And it was agreed upon by Tom Jennings, who was the manager of the Pacific Coast Track Club, that it was, you know, it's no problem to him if you were running in Canada to wear the Scarborough Optimist uniform. So, that's what we did.

Q. All right.

THE COMMISSIONER: Now, you were in Rome in

'87, I think when I interrupted you.

MR. ARMSTRONG:

Q. Yes, I have you in the World Championships in Rome in 1987. And Mr. Williams, did you have an opportunity -- well, perhaps that's the wrong word. Was there an occasion in Rome in 1987 when you came upon a discussion that was taking place among some athletes who were not Canadians and involved a discussion among them of the use of anabolic steroids?

A. Yes.

Q. Would you tell the Commissioner about that, please.

A. Well, I mean usually they have like a meeting place in -- at international competitions, such as the World Championships where athletes, you know, they are just hang out basically. And I was walking by and I knew a shot-putter pretty well, and they were discussing things about, you know, what substances other athletes were using and everything else. And I just sat down and, you know, listened to what they were saying.

THE COMMISSIONER Discussing.

MR. ARMSTRONG:

Q. And were these, I am assuming since you were there at a track and field meet, that these athletes were track and field athletes?

A. Yes, they were.

Q. And when you say they were discussing substances or what substances various people were using, did those substances include mention of anabolic steroids?

A. Yes.

Q. And did a particular drug called Anavar come up during the course of that discussion?

A. Yes, it did.

Q. And tell us about that, please.

A. Well, I mean they were talking about which -- what drugs have a clearance dates and everything else. And that was one that was mentioned, Anavar.

THE COMMISSIONER: Anavar?

THE WITNESS: Anavar.

THE COMMISSIONER: Right.

MR. ARMSTRONG:

Q. All right. When you were saying you were talking about what drugs had clearance dates, I take it what you are saying is --

A. They were conversating together and I

was there, and I knew the shot-putter, and that was one of the things that came up about Anavar. And I spoke to him myself.

Q. All right. And before we get specifically to the Anavar, was the discussion that was going on about clearance dates, do you mean they were saying certain drugs have certain clearance times of so many days?

A. Yes.

Q. I am sorry, I guess you said clearance days, not clearance dates, I apologize.

A. Days, days.

Q. Days, right. My hearing is sometimes a bit off. So, then you knew this particular shot-putter, and it was he who mentioned Anavar?

A. Yes.

Q. And tell us about the discussion involving Anavar?

A. Well, he just said he had a clearance date of -- days of what, 10 or 15 days. And, you know, a lot of -- a lot of athletes that he know of use them.

Q. Anavar, we know, is an anabolic steroid or you believed it to be an anabolic steroid?

A. From the discussion, yes.

Q. Yes. What then transpired after

discussing with him that Anavar had a clearance time of 14 or 15 days?

A. Some were given to me.

Q. Some were given to you?

A. Yes, sir.

Q. By one of the athletes there?

A. Exactly.

Q. And how many -- they come in pill form, do they?

A. They come in pill form, yes.

Q. How many pills were given to you?

A. I can't recall how many pills were given to me, but he gave me a vial of them. It could be 50, it could be, you know, a little more, a little less.

Q. All right. And did you ask for them?

A. Well, at the point -- at that point, I was sort of like just fed up with, you know, the whole situation. And I didn't really ask him for them. He said if you want to try them, you know, you can have some and maybe, you know, when you go home, you know, you can try it and see what effects you get from it.

Q. You say at that point you were fed up with what, sorry?

A. Well, I mean you see guys that, you know, you are beating, you know, consistently and all of a

sudden you get to this, you know, this meet and, you know, you know, they are kicking your butts, basically. So, you know, something had to be -- my interpertation of it was, hey, you know, if you can't beat them, you know, join them.

Q. All right. And on your evidence up to this point in time, you had not yourself ever taken anabolic steroids?

A. That's correct.

Q. And so by Rome of 1987, you had come to really a position of discouragement where you thought that others who were beating you --

A. That's correct --

Q. -- were having their performances enhanced by --

A. Correct.

Q. -- anabolic steroids?

A. Correct.

Q. Now, did you bring the Anavar tablets back to Canada?

A. That's correct.

Q. Was there any discussion between you and whoever it was that gave you the tablets as to what the appropriate dosage was of those tablets?

A. Well, he told me that -- I think there

were in two, two and a half milligrams or whatever per pill, and I should take one or two per day. Depends, like he says sprinters really don't need a whole lot anyways, so, unless you are a thrower or a shot-putter or, you know, a body builder or whatever, then you don't need a whole lot. It's just basically to help you recover and do more work. That's what his exact quotes.

Q. Did this shot-putter, I am assuming it's a shot-putter without naming him, am I right? I don't want to be unfair. It's a shot-putter you are having this discussion with?

A. It was a weight guy. It doesn't really matter if it was a shot-putter, a javelin thrower, or whatever --

Q. Let's call him a thrower. The thrower, did he tell you anything about side effects?

A. No, he didn't.

Q. Were the possible side effects of taking the Anavar something that was of concern to you at that time?

A. Well, it was in a sense, yes. That's why I waited until I got home to, you know, before I did anything.

Q. All right. You came home then presumably after, right after that meet at the end of

August '87, or did you go on somewhere else?

A. We went on and came home I think in September of '87.

Q. All right. Now, we know from the evidence that we have heard from others, particularly Mr. Francis and Angella Issajenko, that in the fall of '87, you and Mark McKoy and, indeed, I guess Molly Killingbeck rejoined Charlie Francis' group?

A. Correct.

Q. Can you tell us so far as you are concerned what led to your rejoining Charlie Francis' group?

A. Okay. In the summer of '87, that's when I had first contact with Larry Heidebrecht. And at the time I think they wanted to structure a club that was very -- that would be very competitive on the international scene. And I think what the athletes that Mazda had -- the Canadian athletes that Mazda had, it wasn't the strongest team that you can basically put forth on international meet. And it was conversations with myself and Larry if I would like to join because they wanted to have a team that they could go to Europe and demand things. And that's what the discussion was all about.

Q. And this is a conversation between you

and Larry Heidebrecht?

A. Yes.

Q. Was that in Canada before you had gone over to the European meets?

A. No, that was in Europe because we were already over in Europe for a dual meet against Great Britain and Poland in Newcastle.

Q. All right. Was the idea of your joining the Mazda group attractive to you?

A. Yes, it was.

Q. Why?

A. Because I get a chance to -- first of all, before I get to that point --

Q. Sorry.

A. -- you made quite a big jump from '83 up until '87, and for an athlete who was sort of international as myself, there were a lot of problems that myself and Mark McKoy went through in terms of not being under Charlie's tutelage.

We had problems from CTFA in terms of funding to go to training camps and so forth.

Also, you didn't really get give me a chance to state why I left Charlie basically, is that --

THE COMMISSIONER: Please do that.

MR. ARMSTRONG:

Q. I was going to ask you that in a moment.

A. Okay. Well, fine --

Q. No, that's fine.

A. -- I will get back to the point and you can ask me that.

Q. I was going to ask you why you left and why you came back, but I don't always ask these things in the appropriate order, but at the end of the day I sometimes get all the questions in, but --

A. Okay. No problem.

Q. -- now that you have quite properly brought that to my attention, first of all, then let me ask you why did you leave Charlie Francis in the fall of 1983?

A. Well, there was a lot of discrepancy in terms of workout and our training patterns. And I didn't see eye to eye on, you know, on a whole lot of them. And that's my main reason why I left.

THE COMMISSIONER: Now the training --

THE WITNESS: Training patterns and --

THE COMMISSIONER: -- procedure that he had outlined, you didn't agree with that?

THE WTINESS: Exactly, amongst other

things too, and I, you know --

THE COMMISSIONER: And I guess Mr. McKoy shared that view, too, is that right?

THE WTINESS: Pardon?

THE COMMISSIONER: Mr. McKoy greed with you? He left with you, didn't he?

THE WITNESS: Yes, we both left at the same time.

THE COMMISSIONER: All right.

THE WITNESS: But then again Charlie wasn't really a hurdles coach, per se. And there was a guy also named John Miller that was York University, the head coach at York University at the time and knew a fair bit about hurdles.

THE COMMISSIONER: I guess a sprint coach helps a bit for the hurdler but not the whole scene?

THE WITNESS: Exactly.

MR. ARMSTRONG:

Q. Now, you didn't mention anything about drugs, but I will ask you.

A. That played heavy on me.

Q. Did that play any role in --

A. It played a major role.

Q. -- your leaving Charlie Francis?

A. It played a major role in my decision to leave.

Q. What role was that?

A. Because I didn't see eye to eye, and I didn't want to. My whole outlook on it was that I wanted to develop my own capability to running natural before I tried anything that would assist me. And that's -- that was my opinion. And I don't think I was given a fair chance because I think it was being pushed on me a little bit too often. So, I decided to leave.

Q. Now, in fairness to Mr. Francis, I could be wrong because I don't have instant recall of the evidence, but I think he did say that he believed, and you have, of course, denied it, that you were on drugs in 1982, but that in 1983 you spoke to him and said that you wanted to run without drugs and he accepted that. Now --

A. I don't recall such a conversation talking to Charlie --

Q. You don't recall such a conversation --

A. I wanted to run without drugs.

Q. All right. In any event, it is clear on your evidence that certainly right up until 1987, you say you didn't run with the benefit of drugs at all?

A. Correct.

Q. All right. And if Charlie Francis has

said that in 1983 you wanted to run without drugs, you say no such conversation took place?

A. No such conversation. And I think the word "without" means that, you know --

Q. Well, it clearly implies obviously that you were on them before?

A. Correct.

Q. All right. Now, have we got everything you wanted to say about having left Charlie Francis in 1983?

A. If you find it fair enough, yes, I guess so.

Q. Well, it's not, Mr. Williams, whether I find it fair enough.

A. Yes.

THE COMMISSIONER: Have you covered everything you want to say on the issue?

THE WITNESS: Yes, I covered everything --

THE COMMISSIONER: As to the reason for leaving.

THE WITNESS: I have covered it.

THE COMMISSIONER: I think Mr. Armstrong was going to say what -- how -- explain how the circumstances in which you came back, you said you started -- Mr. Heidebrecht --

THE WITNESS Exactly.

THE COMMISSIONER: -- initiated these discussions?

THE WITNESS: That's right.

THE COMMISSIONER: With Mr. McKoy, too, because he came back the same time?

THE WITNESS: Yes, he spoke to Mark before he spoke to me, actually.

THE COMMISSIONER: This is when you are in Europe?

THE WITNESS: And he phoned me --

THE COMMISSIONER: And this is while you are in Europe?

THE WITNESS: Yes, he phoned me in Newcastle in a hotel room. Actually I had to stay in Newcastle for an extra day because he had to get in touch with me about a meeting in Greece at the time where the Canadian team also had to go and compete.

THE COMMISSIONER: Were you working with Mr. Heidebrecht at that time? Was he helping you with --

THE WITNESS: Up until that moment, no, never, no association. I didn't know who Larry was or anything like that.

THE COMMISSIONER: Where are we now? Sometime in '87?

THE WITNESS: Summer of '87.

THE COMMISSIONER: Summer of '87, thank you.

MR. ARMSTRONG:

Q. All right. Just before I take you on from 1987, as I do more regularly than not, I am going to pull you back from '87 and just cover this period from the fall of '83 through '87. You said that both you and Mark McKoy, I believe, had some problems --

A. Yes.

Q. -- I take it running without a coach?

A. Yes.

Q. And although you were running with the Pacific Coast Club --

A. Yes.

Q. -- it wasn't located in Canada. So, you really were not running under any Canadian recognized organization in that --

A. We did have a --

Q. -- three or four year period?

A. No, we did have a Canadian organization in terms of the Scarborough Optimist Track Club, but we just did not have "a Canadian coach".

Q. I see, right, you did say that. I

guess I had been left with the impression, perhaps others had not, that you simply put on the Scarborough Track Club jersey when you ran in Canada and that you didn't really have any more affiliation with it than that, but --

A. No, that's --

Q. Were there resources made available to you?

A. From Scarborough?

Q. Yes?

A. No resources in terms of what, monetary? No.

Q. Well, in terms of monetary --

A. You said resources --

Q. -- assistance in terms of coaching on a sort of --

A. No.

Q. -- periodic basis if you needed it?

A. No, no, because at the time I think Gerrard Mach didn't really want myself and Mark being coached by each other. So, he had Mr. Earl basically overlook -- Mr. Earl was like the head guy in terms of my program, my training program, where -- because I couldn't be -- I needed somebody to basically supervise me, to talk on my behalf to Gerrard and the guys at CTFA. They didn't really want to deal with top guys to athlete, they wanted

a mediator, basically.

Q. All right.

A. So, Mr. Earl took that position.

Q. Now, in 1985, Waldemar Matuszewski came along and joined both the Scarborough Optimist group at that time and the national team through the CTFA and was being paid a certain salary by the Canadian Track and Field Association. We have heard some evidence of that, we will be hearing more after you leave.

What about Mr. Matuszewski's services as a therapist, were they made available to you during this interval of '83 through '87?

A. That's the sad part, no. There were athletes who like I think priority went from A card, B card, and C card carded athletes. And there were times where we couldn't even get in there, you know, we never had the chance because Charlie and myself and Mark and Molly weren't on speaking terms basically, we never get a chance to get in to see Waldemar.

Q. Well, are you saying you didn't see him at all, or it was just difficult to get in to see him?

A. We didn't get a chance to get in there to get a massage and I didn't see Waldemar -- get to know Waldemar until maybe say '87 to get to know him on a personal basis, yes.

But we had difficulties getting a massage. Even though we were the elite athletes, we couldn't get in to get a massage.

Q. Waldemar kept his equipment and his table in a room up at York University under the stairs, I am told. Do you remember that? Did you train at York?

A. I trained at York, but like I said I couldn't get in to get at massage in '85, so, you know, who is to know.

Q. So, are you saying then that until you rejoined the Mazda club --

A. Yes.

Q. -- or I guess it's not rejoining the Mazda club because you hadn't been a member of the Mazda club, but until you rejoined the Francis group under the auspices of the Mazda Optimist Track and Field banner, did you not up to that time have a massage or the services of Waldemar Matuszewski?

A. That's correct.

Q. And did that play a part then in your decision to come back to Charlie Francis' group?

A. Not really, because, I mean, I used to phone CTFA and tell them, you know, you guys hired a guy to give a massage to the athletes, and I can't get one, what's going on, you know. But that didn't play a major

role, no.

Q. All right.

A. I think why I joined or why I went back basically is because of a, you know, a couple of reasons. One, having a strong team basically because I think the Americans usually have, you know, strong clubs where you get guys like Carl Lewis or the Santa Monica Track Club they have a group of athletes that's very strong and, you know, they can go to meets. And I think Mazda Canada wanted to have the same sort of, you know, background.

Q. Now, by the fall of 1987, it was clear that Ben Johnson had the best year that any Canadian Track and Field sprint athlete had ever had and probably the best year that maybe any sprint athlete in the sport has ever had --

A. Any athlete. Just say athlete.

Q. Well, I think I could -- there might be the odd tennis player that would disagree with you, but leaving that tired joke aside, you -- I would agree with you, he had the best year probably than any athlete could ever have. Angella Issajenko in '87, you would agree, also had a very good year, certainly it was one of her banner years?

A. I will agree, I will say yes.

Q. Now, did the fact that these two

athletes who were friends of yours and former teammates in the Francis group, did the fact that they had succeeded beyond many people's wildest dreams have an effect on your deciding to rejoin the Francis group?

A. No, that didn't have the major -- that wasn't the major point why I joined, no.

Q. Well, did it have any effect?

A. I would say no.

Q. No?

A. None.

Q. Well, I don't want to make a big thing of it, but if I was Desai Williams and I looked around and saw Ben Johnson doing what he had done in 1987 under Charlie Francis --

THE COMMISSIONER: Well, that's really a hypothetical question, I'll tell you.

MR. ARMSTRONG: Well, you never know.

THE WITNESS: Go ahead, it's okay, I mean --

THE COMMISSIONER: No, I don't think that's getting any place, Mr. Armstrong.

MR. ARMSTRONG: All right. I will leave the hypothetical where it lies on the cutting room floor.

THE COMMISSIONER: Right.

MR. ARMSTRONG:

Q. Then did -- so, Mr. Williams, then have we got all your reasons then for your decision to return to Charlie Francis as your coach and thereby return to the Francis group?

A. Pretty much, yes.

Q. All right. Now, you did say earlier when the thrower in Rome had given you the Anavar that you were feeling a sense of discouragement. When the Anavar was offered to you, your attitude at that point in time was, well, if you can't beat them, join them. And you said you took the tablets, you brought them home?

A. Correct.

Q. Was it your intention at that time to take the Anavar tablets?

A. It was my intention, yes.

Q. All right. Now, you never did take the Anavar tablets, I take it?

A. No.

Q. All right.

THE COMMISSIONER: What happened -- Molly Killingbeck said you brought them back to Rome, was it?

THE WITNESS: I brought them back from Rome, yes.

THE COMMISSIONER: Yes.

MR. ARMSTRONG:

Q. Did any money change hands when you got the Anavar tablets?

A. From the guys?

Q. Yes.

A. No.

Q. They just gave them to you?

A. Correct.

Q. All right. So, I am going to go on to a discussion that you had with Charlie Francis, but -- in when you came back to Toronto, but did your decision to return to Francis and the group have anything to do with the fact that you may enter into a steroids program in the Francis group?

A. Yes, I will say yes.

Q. Okay. Now, Mr. Williams, you told us about the discussion with Larry Heidebrecht in Europe?

A. Yes.

Q. You told us about what was going through your head, your sense of frustration, and so on. Did you then carry that a step forward and go and have a chat with Charlie Francis?

A. Correct.

Q. Okay. Tell us about that, please.

A. If I can recall 100 percent, on the

flight I think we were coming back from one of the track meets, anyways on the way back home. And we got to Toronto anyways, and, you know, Mark and I, we went and we met with Charlie. And we basically told him what we wanted to do. We mentioned it to him that, hey, you know, we have been in this thing, you know, we want to try something totally different now. And his comment was, you know, okay, sure, we will talk about it and everything else. And he sat down with us and he spoke to us about what they had been doing, according to Charlie's statement, what they had been doing for years. That's what he said to me, what's been going on for years.

Q. What did he tell you?

A. He said to me, "This is what we've been doing for years," and he showed myself and Mark a bottle with white liquid in it.

MR. ARMSTRONG: Could I just have your indulgence? I'm sorry, I should have asked before. Could I have Exhibit 117A, please? And while you're at it, could you get me 126 because I'm going to come to that.

MR. ARMSTRONG:

Q. All right. Exhibit 126, Mr. Williams --

THE COMMISSIONER: That's 117A.

MR. ARMSTRONG:

Q. 117A, I'm sorry, in this proceeding is this vial that I hold in my hand of milky white liquid. Is that the kind of vial and the kind of liquid that was in the vial that Mr. Francis showed you?

A. Yes, correct.

Q. And where did this meeting take place?

A. At his apartment.

Q. So he told you that they'd been doing the milky white substance for years?

A. That's what he said.

Q. And did he recommend that you and Mark

should go on a program of this substance?

A. Correct.

Q. Did he give a name for it?

A. Estragol.

Q. Estragol?

A. Estragol.

Q. Did he tell you where the Estragol came from?

A. He didn't say where it came from. He didn't tell us where it came from.

Q. Did he mention the name Dr. Astaphan at all during this meeting?

A. In a sense, you could say, yeah, I think he did. I think he did. He didn't tell us where he got it from, but, you know, one can only assume, I guess.

Q. I take it during the course of your track and field career, certainly up until this period of time, fall of 1987, you had never gone to Dr. Astaphan for anything at all?

A. That's correct.

Q. All right. Was there any further discussion about the so-called Estragol?

A. No.

Q. And, again, I just want to be clear about it so that we have it. Was there any discussion

from him or any suggestion from him that, "Look, if you go on a steroid program, there may be some risk that the drugs will generate side effects"?

A. No, he didn't say anything to us about that.

Q. And what particularly -- sorry.

A. Go ahead. No, his comments were with the doses that we're going to be using, there won't by any side effects or he don't think there will be any side effects.

THE COMMISSIONER: Can you tell me what the dosage was? This was to be injected?

A. Yes. He said anywhere from, since we were new to this thing, it may be anywhere from a quarter of a cc to half a cc.

THE COMMISSIONER: And he had the little vial in front of him?

A. Yes, he showed us the vial at the time, yes.

THE COMMISSIONER: What happened to the vial?

A. Pardon?

THE COMMISSIONER: What happened to that vial?

A. I guess he took it back to his room.

THE COMMISSIONER: I see. It was in his apartment?

A. Yes.

THE COMMISSIONER: Thank you.

MR. ARMSTRONG:

Q. And what did he say, if anything, about what effect the Estragol would have on your performance on the track?

A. Well, he said, "You're going to get stronger," and, obviously, you know, with strength I guess increased speed, considering the physics behind it.

Q. And at that time, did you have a family doctor?

A. Yes, I did.

Q. It wasn't Dr. Koch. It must have been somebody else. You don't need to mention his name, but did you see this doctor regularly?

A. Did I see him? Just for my regular, my annual checkup.

Q. Did Mr. Francis suggest that if you went on a steroid program that you should attend your family doctor?

A. No, he didn't.

Q. Was there any suggestion from him that

there should be regular --

A. No, there wasn't.

Q. -- lab tests taken of your blood and whatever?

A. No, there wasn't.

Q. Then, Mr. Williams, was the discussion carried to any further stage at that point in time? Was there some decision reached as to whether or not Mark McKoy and you would embark upon an anabolic steroid program?

A. We didn't make a firm decision. We said, "Well, we'll get back in touch with you or vice versa." Charlie said, "Well, you know, we'll get in touch with you. Training starts, say the first week of October, whatever, you know. We'll give you a call or whatever." Basically, that's as far as I can really take you.

Q. Was any decision made at this point as to with or without steroids Mark McKoy and you would rejoin the Francis group under the Mazda Optimists' banner?

A. With or without?

Q. Yes.

A. I don't think so, no. I don't think there was any discrepancy about that at all.

Q. Was there any -- I assume the discussion

that you've referred to, what you say started with saying "Mark and I want to try something completely different," and you got into a discussion about steroids, I assume you also must have discussed the fact that you wanted to come back and have him coach you?

A. Well, under the circumstances, it was, the facts were there. It was understood.

Q. All right. So the Rome meet was the end of August?

A. Yes.

Q. The 100-metre final was August the 30th, 1987, as I recall it. You were back in Toronto approximately when, early September, mid-September?

A. I'd say mid-September.

Q. And you went to some other meets after that. So was this discussion with Charlie Francis shortly after you and Mark McKoy had gotten back from the European meets?

A. I can't remember if it was shortly after or a week or two after.

Q. It doesn't matter. Thank you. So what happened next, did Mark and you have some discussion about --

A. I didn't, I didn't sit down and really went over it with Mark, basically. You know, I just said,

well, I made up my own mind, and, you know, I'm going to try something; I'm going to try it on my own, no matter what Mark thinks or what, you know -- because at the time, I think, you know, I am pretty much capable of understanding, you know, what was going on at the time so I, you know, decided to try it.

Q. So what happened next then? You obviously made a decision one way or another?

A. Correct.

Q. And what was the decision?

A. To do it.

Q. So did you get back in touch with Mr. Francis?

A. He got in touch with me, actually.

Q. Yes? Tell us about that, please.

A. It was just a phone call, you know, because we live adjacent to each other.

Q. What did Mr. Francis say?

A. Oh, okay. He just said, "Come over, and, you know, before you resume training, just come over and get your shot." Those were his exact words, "Just come and get your shot."

Q. And presumably that would have been early October, would it?

A. Yes, it would have been early October.

Q. And you went to his apartment and presumably began a program of injections of this milky white liquid which had been described to you as Estragol?

A. Correct.

Q. All right. Did you also receive injections of Vitamin B-12 and inosine?

A. Okay. That was a combination. That was a mixture you used with the milky white substance.

Q. All right. And did Mr. Francis mix those in your presence?

A. No.

Q. Were they premixed when you got into his room; is that it?

A. Yes.

Q. And then throughout -- I don't want to go through this injection by injection, so is it fair to say then throughout the fall training period on a regular basis you attended Charlie Francis' apartment or received from him injections of the steroid which he had described as Estragol and also inosine and Vitamin B-12?

A. Correct, twice a week, actually.

Q. Twice a week, all right. And running up until when, early December, was it?

A. For me, I got hurt, and I think Charlie told me I shouldn't do any of it again for that time frame

because I didn't go through the whole period because I got hurt.

Q. So your cycle then was interrupted?

A. Correct.

Q. And then, Mr. Williams, did you come to any conclusions, make any observations about how the steroid was affecting you physically?

A. Well, I got a little bit -- well, I got a little bit stronger in terms of my bench press. You know, I gained a few pounds on that.

THE COMMISSIONER: Are we talking about the fall now of '87?

A. The fall of '87, yes.

THE COMMISSIONER: And it was during that training period that you got hurt?

A. Yes, I got hurt, say, maybe a couple of weeks before Christmas or a few weeks before Christmas.

THE COMMISSIONER: I see.

MR. ARMSTRONG:

Q. All right. Then you got a bit stronger in terms of your bench press. What effect, if any, did the --

A. Recovery time --

Q. -- steroid have on your running ability

on the track, do you know?

A. Recovery times and everything else would increase, you know. I could do, I can endure more work over a shorter period of time.

Q. And then you competed, I believe, in the indoor season that winter?

A. Correct.

THE COMMISSIONER: Were you told what the clearance time was for Estragol?

A. I think, I think at the time Charlie said something like, what he said, thirty-something days or something like that. But I got hurt, so it didn't really apply.

THE COMMISSIONER: Did you ever discuss Anavar with Mr. Francis because that has a shorter clearance time?

A. No, I did not.

THE COMMISSIONER: I see.

MR. ARMSTRONG:

Q. I haven't asked you this, and I should, just so that we bring that story to its conclusion. When you had returned from the European circuit and having received the Anavar in Rome, it was your intention at that time to try a cycle of Anavar. I take it that what

happened was that after your discussion with Mr. Francis and his recommendation that you decided to follow his recommendation and not take the Anavar?

A. Correct.

Q. Do you know or recall what you did with the Anavar tablets?

A. I didn't throw them away. I kept them around the apartment.

Q. Do you still have them?

A. No, I don't.

Q. And when -- were they thrown out or discarded at some point?

A. Yes, they were.

Q. When was that?

A. When I came back from Seoul.

Q. That would have been in October of '88?

A. Correct.

THE COMMISSIONER: At the same time as the Dianabol tablets?

A. Well, I didn't discard -- I didn't discard those.

THE COMMISSIONER: Molly Killingbeck said at one stage --

A. She threw out the --

THE COMMISSIONER: The Dianabol.

A. Exactly. I didn't discard -- I discarded the Anavar myself.

THE COMMISSIONER: Thank you.

MR. ARMSTRONG:

Q. And then we've heard --

THE COMMISSIONER: At the same time, though, I guess. This is when you were splitting up, I think, not to get into the --

A. Well, when I came home, I came home a couple of days later anyways, because I had to -- I stayed on 'til, I think, the 4th or 5th. I came home like on the 6th, I think.

THE COMMISSIONER: Well, she's told us that, I think, at one stage she threw out these Dianabol pills, which were still in the trunk?

A. Yes.

THE COMMISSIONER: And did you have a discussion with her at that stage about throwing them out?

A. Did I have a discussion? She asked me what she should do with them, and I said, "Throw them away."

THE COMMISSIONER: Was the Anavar in the same trunk?

A. No.

THE COMMISSIONER: I'm sorry I interrupted. You threw those out, too, I guess, at the same time?

A. Because I came home a couple of days after Molly had already arrived in Toronto.

THE COMMISSIONER: I see. You were starting the indoor season, and I think I asked the question about the clearance time at that stage.

MR. ARMSTRONG: Fine. And as is my custom, I'm going to move back from the point I had reached. When you were attending at Charlie Francis' apartment in the fall of 1987, without naming names at this point, were you aware that there were other athletes also going to Charlie Francis' apartment to receive injections of the milky white substance called Estragol?

A. Correct.

Q. And then during the course of the indoor season in Europe, do you recall becoming aware that there was some concern about the fact that Charlie Francis was keeping in his apartment some of these steroids, namely the Estragol, and that there was a concern that the non-users of steroids might find out that they were there?

A. No, there was no conversation as far as I can recollect.

Q. And, in particular, I want to ask you if

you recall a conversation in a hotel room in Europe, probably in Genoa, that involved Mark McKoy and Ben Johnson, Angella Issajenko, and you, concerning the fact that these steroids were in Charlie Francis' apartment and there was concern that the circle of knowledge might widen beyond the users?

A. I don't recall that conversation.

Q. I just want to see if I can refresh your memory further, and it's my obligation, in any event, to put to you the evidence of others on this point. Angella Issajenko testified that you, Mark McKoy, Ben Johnson, she and Charlie were at a track meet in Europe, probably in Genoa, or she said Genoa. There was some discussion in around --

THE COMMISSIONER: At what time?

MR. ARMSTRONG: This is the end of February 1988.

THE COMMISSIONER: Were you there, at that meet?

A. Yes, I was.

MR. ARMSTRONG:

Q. And there was some discussion in a room shared by you and Mark McKoy. She testified that either at that time or perhaps, on my review of the transcript,

it's not entirely clear, it may have been later, but probably at that time in the room in Genoa, it was decided by Mark McKoy and you that there were too many people in Charlie's apartment and you did not want other people to know about your business?

A. When you say too many people in Charlie's apartment, can you clarify yourself, please?

Q. Well, that was Angella Issajenko's testimony. I don't think I would be unfair to put a characterization on it that she was indicating that there were too many people in and out of his apartment --

THE COMMISSIONER: Who were not within the group.

MR. ARMSTRONG:

Q. -- who were not within the circle of people who were using steroids.

A. Well, the only people that when I went to Charlie's place that I saw were there were people that Charlie said to me were doing the stuff anyway, so, you know.

THE COMMISSIONER: No, that's not the question. The question put to you, was there this discussion because we heard there was this discussion.

A. No, I already mentioned, I already said

that we did not have a discussion like that, such a discussion.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. She went on further to testify, and I just want to put this to you, Mr. Williams, so that we have all of the evidence. She went on to say that you and Mark decided that for the next cycle of steroids, which would take place after the European indoor season, that you did not want to get your injections at Charlie Francis' apartment. Do you ever remember indicating that to Angella Issajenko?

A. I did not discuss that with Angie, but Charlie mentioned that to myself that he wouldn't, you know, he didn't want us to come back to his place because of what you just said, and if we can do it on our own, you know, that would be fine.

Q. And is it so that after the --

THE COMMISSIONER: When was this discussion, while you were still in Europe?

A. No, this was back. Because at the time I went to our nationals --

THE COMMISSIONER: I'm just putting it -- you say no such discussion took place that was --

A. In Europe with myself, Angie, and Mark.

THE COMMISSIONER: Other people testified to it. But you did have a similar discussion with Mr. Francis?

A. When I got back --

THE COMMISSIONER: When you got back.

A. -- to Toronto. Not in -- I did not discuss anything --

THE COMMISSIONER: I understand. I understand what you're saying.

MR. ARMSTRONG:

Q. Let's go to that discussion. What was it that Charlie Francis said?

A. I just mentioned that to you, that he would like it if we could do it on our own rather than come by the apartment.

THE COMMISSIONER: Did he say why?

A. Pardon?

THE COMMISSIONER: Did he say why?

A. He didn't clarify himself, basically. He just said he would rather we do it on our own, rather than come by.

THE COMMISSIONER: I thought you just said for the reason that Mr. Armstrong put to you, that there

were too many people might, other people might find out. Is that --

A. Like I said before, the only people that I knew going by Charlie's were the ones doing it anyway, so I couldn't, you know, justify that statement.

THE COMMISSIONER: You don't know why he suggested you do it on your own then?

A. I don't know why he suggested it because when Charlie mentioned that to me, right, I had already left Toronto anyways, and it's only when I came back home I knew why he suggested that to me, after I got back to Toronto.

MR. ARMSTRONG:

Q. Well, when you say you knew why he suggested it to you --

A. There was a --

Q. -- it was a concern that other people who were not involved in steroid use might find out if he had you and others going in there regularly, and other people might see you?

A. No, but what I got out of the whole conversation when I came back to Toronto was that Angie and Cheryl had a discrepancy. They had a little tiff, I should say, at the track, and that's where the conclusion

was drawn, right there.

THE COMMISSIONER: All right. We'll just go on.

MR. ARMSTRONG:

Q. Then the upshot of it was that as a result of Charlie Francis having told you that he wanted you to do it on your own, as you put it, he gave a bottle of the milky white substance to you and Mark McKoy, or did he give it to Mark McKoy, I'm sorry?

A. I can't recall if he gave it to myself or Mark McKoy, but he did give us a bottle, yes, that I was supposed to use for myself, Mark and Molly.

Q. And did -- we've heard from Molly Killingbeck that it was anticipated that perhaps she would get her injections from you but that that didn't happen. What about you and Mark McKoy? Did you do any injections of each other of the milky white stuff?

A. No, I didn't.

Q. Now, during the spring of 1988, during what would be the training period in 1988, did you receive any injections of the milky white substance from anybody else?

A. No, we didn't.

Q. And what about Waldemar Matuszewski, the

therapist? By this time, you had joined the Charlie Francis group. Was his services being made available to you?

A. Getting massages and everything else, yes.

Q. And during the spring of 1988, were you getting massages from Waldemar Matuszewski?

A. Yes, I was.

Q. And did he give you any injections during the spring of 1988?

A. Of inosine and B-12, yes, he did.

Q. And where did he give you those injections?

A. Most of the times --

Q. I don't mean what part of your body. I think we've decided that without fail that goes in a particular place.

A. Well, sometimes, you know, he'd do it at my apartment or sometimes he would do it while we were getting a massage.

Q. All right. So he would come over to your apartment and give you the injections?

A. Maybe once or twice, once in a blue moon when I was there.

THE COMMISSIONER: Did you have the Vitamin

B and inosine as well as the milky white stuff at your apartment?

A. Did I have?

THE COMMISSIONER: Yes, you said you had --

A. Yes, I did. Yes, I did.

THE COMMISSIONER: So you had both, did you?

A. Yes, sir.

MR. ARMSTRONG:

Q. And do I take it from your evidence, Mr. Williams, that you have -- you didn't then, during the spring of 1988, although Mr. Francis had made available a bottle of the milky white substance to you and Mark McKoy, you didn't, to your knowledge at least, receive any injections of that substance?

A. That's correct.

MR. ARMSTRONG: That is a convenient point for me, if it is for you.

THE COMMISSIONER: And you didn't use it -- neither one of you used it at that time? You had it in the apartment?

A. Pardon?

THE COMMISSIONER: I understand what happened, at a certain stage it was decided that Mr. Francis should not have the Estragol in the apartment?

A. Yes.

THE COMMISSIONER: And he gave you a bottle of it?

A. Correct.

THE COMMISSIONER: And you took that to your apartment?

A. Correct.

THE COMMISSIONER: And it was supposed to be for you and Mr. McKoy?

A. And Molly.

THE COMMISSIONER: And at that time, were you still sharing this apartment with Molly Killingbeck?

A. Umm --

THE COMMISSIONER: Well, I'm not going into the --

A. On and off.

THE COMMISSIONER: All right. But when you sort of split up, did you move out?

A. I took my, some of my personal stuff, yes.

THE COMMISSIONER: And went to your own place?

A. Correct.

THE COMMISSIONER: And with Mark McKoy, too?

A. Correct.

THE COMMISSIONER: And did you take the milky white --

A. I left the milky white substance in my briefcase.

THE COMMISSIONER: You didn't take it with you?

A. No, I didn't.

THE COMMISSIONER: You left it with Molly?

A. Pardon?

THE COMMISSIONER: You left it --

A. I left it in the apartment. Molly wouldn't have no access to it, basically, per se, because it's a combination lock.

THE COMMISSIONER: You left it in the apartment even though you weren't living there anymore; is that what you're saying?

A. Correct. Like I said, like Molly said, we were time-sharing the apartment. Like one time I'll be there; next time she would be somewhere else.

THE COMMISSIONER: Yes, I heard that. All right.

Is this a convenient time to --

MR. ARMSTRONG:

Q. Just following up from that, when you

then weren't staying at the apartment, you were staying with Mark McKoy at Mark McKoy's parents' house?

A. Correct.

MR. ARMSTRONG: That's now a convenient point to adjourn.

THE COMMISSIONER: Adjourn until 2:15.

MR. ARMSTRONG: Thank you.

-- Recess taken until 2:15 p.m.

---Upon resuming

THE COMMISSIONER: Excuse me for a minute, please. Mr. Armstrong, thanks. Mr. Armstrong.

MR. ARMSTRONG: I'd like to file that piece of paper as the next exhibit.

THE COMMISSIONER: It's just an autograph.

MR. ARMSTRONG: Thank you. Thank you, Mr. Commissioner.

MR. ARMSTRONG:

Q. Mr. Williams, there was one other piece of evidence that I forgot to put to you.

Back in the summer of 1982, Mr. Francis testified that he obtained some Winstrol or stanozolol tablets, I believe at that time, from Bishop Dolegiewicz and they were two milligram tablets and he gave bottles, he said, to Ms. Issajenko, Tony Sharpe, Ben Johnson and you.

Do you have any recollection of having received some two milligram Winstrol or stanozolol tablets in the summer of 1982 from Mr. Francis?

A. Like I said before, the only substance that I got from Charlie in 1982 were the ones in the vitamin bottle.

THE COMMISSIONER: I'm sorry, you dropped

your voice. I'm sorry. You said the only tablets you got was the --

THE WITNESS: In the vitamin bottle from Charlie in 1982.

THE COMMISSIONER: Thank you.

THE WITNESS: And stanozolol, or whatever it's called, it's only until the summer. That's the first time I ever heard of that substance.

MR. ARMSTRONG:

Q. When you say that's the first time you ever heard of it, when, in the summer of '82 you heard of it?

A. Summer of '88.

Q. Oh, summer of '88. All right. After the -- presumably after the Olympic finals?

A. Exactly.

Q. Then I want to go back to 1988 now and again some evidence that was given by witnesses who appeared before you.

First of all, when Angella Issajenko testified, she brought to our attention a reference in her diary for February the 25th, 1988 which read, "Saw Molly Desai..." -- "Saw Molly, Desai and Mark, reached compromise," and it was her evidence that there was a

meeting at her house involving you, Molly, McKoy and Mark -- sorry, Molly Killingbeck and Mark McKoy and you and her, of course, and there was a discussion about, as she described it, another cycle of steroids. There was a discussion about taking an injectable and also taking some orals, as she described it.

She said that Molly and she agreed to some shots of Estragol, quarter cc, and she said that Mark and Desai decided to do what they had done with Charlie in the fall.

Before I ask you another question or ask you a question, indeed, just let me refer you to some evidence that Molly Killingbeck gave on the same meeting. She testified she was there; she said there was this discussion about the cycle of steroids. She said you brought up the subject of Anavar; you suggested that Anavar would be better than whatever orals were being discussed. And, of course, she mentioned that she recalled your getting the Anavar in Rome.

I think that fairly summarizes the evidence from both Ms. Issajenko and Ms. Killingbeck on that meeting.

Do you recall the meeting at Angella Issajenko's house?

A. Yes, I do.

Q. And can you tell us, in your own words, what your recollection is of the meeting?

A. I don't think I was vocal in the meeting basically because, I mean, this is my first time being involved in any sort of a steroid thing. The only thing ---

THE COMMISSIONER: What meeting was this, I'm sorry?

MR. ARMSTRONG: February the 25th is the date of the entry in ---

THE COMMISSIONER: '88?

MR. ARMSTRONG: In Angella Issajenko's diary.

THE COMMISSIONER: '88.

MR. ARMSTRONG: February '88, yes.

THE COMMISSIONER: Thank you. I'm sorry, I interrupted you.

THE WITNESS: This is the first time that I've ever been involved in any sort of discussion with steroids anyway, so -- I mean, the only thing that I could basically relay was -- my information that I got from Rome in 1987 and, as far as I can recall, that's basically what I mentioned.

MR. ARMSTRONG:

Q. All right. And Angella Issajenko did say that Mark McKoy and Desai Williams decided to do what they had done with Charlie in the fall, is that correct?

A. Well, I don't think she said what we did with Charlie in the fall because I mean, basically, what we did with Charlie was what Charlie did with us and that was just gave us the white substance.

Q. Well, in fairness, when you say not what we did in the fall but what Charlie did with us?

A. Mm-hmm.

Q. You did go to Mr. Francis' apartment to get the injections of the steroid?

A. That's correct.

Q. All right.

THE COMMISSIONER: Well, I'm sorry. I thought you said they had agreed to do what they're doing in the fall. That was what, continuing with the Estragol?

THE WITNESS: Pardon? I don't recall mentioning anything to Angie about continuing in the fall using Estragol, in the meeting at her apartment. All I said was I can only recall what I said to Angie or what I said in the meeting of what my knowledge were of Anavar which I got -- the information I got from the throwers in Rome of '87.

THE COMMISSIONER: I'm sorry. I thought you

said -- there was some discussion about what was going on in the fall. I misheard you, I guess.

THE WITNESS: No, you said that Angie said that Mark and Desai were going to go ahead and do what we did with Charlie in the fall of '87.

THE COMMISSIONER: You say you didn't do anything with Charlie, Charlie did something with you?

THE WITNESS: Then I said, I said to him was that we didn't do anything to ourselves. It's what Charlie gave us, administered the stuff to us, in the fall of '87.

MR. ARMSTRONG: I'm sorry. I perhaps confused the issue. What I was doing was requoting almost verbatim from what it was that Miss Issajenko had said.

THE COMMISSIONER: I understand what you did say, yes.

MR. ARMSTRONG:

Q. And I think you and I are on the same wave-length?

A. We are, we are.

Q. Let's just make sure we are for the benefit of everyone else.

What I think Miss Issajenko was saying was that, look, you and Mark had been on a program in the fall

that involved taking certain injections of Estragol?

A. Right.

Q. And inosine?

A. Correct.

Q. And vitamin B-12. She says the result of the discussions, so far as you and Mark were concerned, was that you basically decided to go back to the same program for the spring?

A. That's what Angie suggested?

Q. That's what Angie said?

A. Okay.

Q. Now, I want to know what you say. Was that, in fact, a decision that was made by you and Mark McKoy on February 25th, 1988?

A. Well, if Angie said we're at the meeting then obviously I was at the meeting and, like I said to you before ---

Q. Well, that's not necessarily so. Do you remember being at the meeting?

A. Yes, I said that ---

Q. Okay.

A. That I was at the meeting and I relayed what information I knew from -- about the Anavar because you asked me that same question, about the Anavar, and that's what I said.

Q. All right. And I'm sorry, it's my fault, not yours. Leaving aside what Angella Issajenko said?

A. Uh-huh.

Q. What do you say, did you decide together with Mark McKoy, that you were going to do a cycle of Estragol in the spring of '88?

A. That might have been there but I did not decide it with Angie what I was going to do at that meeting. I did not decide anything at that meeting, what I was going to do.

Q. I don't understand what you ---

A. You asked me if I decided ---

Q. Again, I don't want to accused of beating a point.

A. You asked me if I decided with Mark that we're going to go on a cycle of Estragol in the winter or the --

Q. In the spring?

A. Or the spring of '88 and I said to you I did not decide anything with Mark in Angella's apartment about doing anything in the spring.

Q. Well then, just so I have it, I take it you then disagree with Ms. Issajenko's characterization of what happened?

THE COMMISSIONER: What decision did you make after the meeting?

THE WITNESS: I did not say anything in that meeting to Angie.

THE COMMISSIONER: What decision did you make, though? You decided -- there was some discussion about Anavar.

THE WITNESS: Exactly. and I relayed what information I knew about Anavar from what I found out ---

THE COMMISSIONER: And did you suggest you should consider Anavar because what you heard about it in Rome?

THE WITNESS: That's correct.

THE COMMISSIONER: And so far as Anavar is concerned, you didn't decide to take Anavar?

THE WITNESS: No, I didn't. I did not.

THE COMMISSIONER: What decision did you make after this meeting, to go be back on the Estragol?

THE WITNESS: I did not make no decision in Angie's apartment.

THE COMMISSIONER: What did up do after the meeting? Did you continue taking Estragol after the meeting?

THE WITNESS: I did not take any Estragol after the meeting, sir.

THE COMMISSIONER: Well, then your decision was to take no steroids?

THE WITNESS: Correct, sir.

THE COMMISSIONER: Well, you didn't tell anybody at the meeting, I guess ---

THE WITNESS: No, I did not because I got hurt -- we missed one point. I got hurt in '87 and the injury was diagnosed -- I missed Hamilton -- I ran Hamilton but I got hurt there also again. I missed Toronto -- I missed Ottawa and I missed Sherbrooke.

THE COMMISSIONER: That would be in the early part of '88?

THE WITNESS: Yes, end of January or early February.

THE COMMISSIONER: You missed those meets?

THE WITNESS: I missed those meets.

THE COMMISSIONER: So you weren't in training in February of '88?

THE WITNESS: Just basically weights and everything else.

THE COMMISSIONER: When did you go back to train?

THE WITNESS: Prior to -- the only time I started running was prior to the Toronto Star Indoor Games -- Toronto Sun Indoors Games, I should say.

THE COMMISSIONER: What date would that be? I've forgotten.

THE WITNESS: The Toronto Star Indoor Games was, what, the end of January, if I can recall properly. And say probably a week before that, that I started doing speed work again.

THE COMMISSIONER: We're talking about a meeting of February now.

THE WITNESS: No, but I'm getting -- well, I already answered that question.

THE COMMISSIONER: All right.

THE WITNESS: I'm telling you why I decided not to.

THE COMMISSIONER: Because of the injury.

THE WITNESS: Exactly. And what it was the tendon for the gastrocnemius muscle which is the calf muscle, was being torn away from the bone. That was the diagnosis.

THE COMMISSIONER: I see.

THE WITNESS: And that sort of gave me a little bit of a scare. Usually I'm not injured prone. I'm usually pretty much sturdy.

THE COMMISSIONER: At the meeting you kept what you were going to do to yourself.

THE WITNESS: Correct, sir.

MR. ARMSTRONG:

Q. When was it that you suffered this injury that you've just described?

A. I got hurt prior to Christmas. I hurt my hamstring and my calf.

Q. All right. Now, did you -- you've missed Ottawa, you missed Sherbrooke. Did you run in Hamilton?

A. I ran Hamilton but I got hurt in Hamilton, the same calf injury.

Q. All right. And then, did you run in the national indoor championships?

A. That was closer to the end of February. That's after we came back from the European tour.

Q. I've got it a note here, I didn't bring it out when we were going over your record because you had so many successful races, but you came first in the 60 metres at the national indoor championships on February 21st, 1988?

A. Correct.

THE COMMISSIONER: What was the date of this meet -- where was that meet?

MR. ARMSTRONG: 25th.

THE COMMISSIONER: Where was that meet held, the one just discussed?

MR. ARMSTRONG:

Q. I don't know. Can you tell me in 1988 where the national indoor championships were held?

A. They were in Windsor.

Q. Windsor?

A. That's right.

THE COMISSIONER: Were you hurt at that meet -- were you hurt at that race?

THE WITNESS: No, I wasn't. This was February that Mr. Armstrong is talking about.

THE COMMISSIONER: Yes, and so is Angella Issajenko's note about the meeting that was also in February.

THE WITNESS: The meeting but not in Hamilton -- not in Windsor.

THE COMMISSIONER: No, but --

THE WITNESS: It was after the indoor ----

THE COMMISSIONER: The meeting that Mr. Armstrong referring to occurred ---

THE WITNESS: It was after the indoor, our the indoor 1988 championships.

THE COMMISSIONER: The one you just won successfully in Windsor?

THE WITNESS: Correct. But you asked me if I was hurt at that. No, I was not. This is February; I

was hurt in December and part of January.

THE COMMISSIONER: By February you were better again?

THE WITNESS: Correct.

THE COMMISSIONER: I see.

MR. ARMSTRONG:

Q. And this meet in Windsor is on February the 21st and the meeting, according to Angella Issajenko, at least as recorded in her diary, is four days later on February 25th?

A. That's correct.

Q. Sure, okay.

THE COMMISSIONER: That's why I was puzzled because you weren't injured on February 25th?

THE WITNESS: No, I wasn't.

MR. ARMSTRONG:

Q. Now, at what point, Mr. Williams, was the decision made by you that you were not going to go back on a steroid cycle?

A. After the injury was diagnosed by Waldemar Matuszewski, that he say he didn't want to tell me anything because he didn't want to get me sort of alarmed and scared about it.

Q. When did he tell you that?

A. He told me that in early February, when we were in Europe, if I can recall.

Q. All right. So then, if Ms. Issajenko's diary record is correct and if Miss Killingbeck's recollection of when this meeting was is correct, you had already made the decision not to go ---

A. Prior to the meet.

Q. On a steroid cycle prior to meeting?

A. Correct.

THE COMMISSIONER: Why would you discuss Anavar then? I'm just puzzled. Why were you talking about Anavar.

THE WITNESS: Because I had ---

THE COMMISSIONER: For the others, not for you?

THE WITNESS: Pardon? Well, when I got it initially ---

THE COMMISSIONER: I'm talking about the February meeting. I'm just trying to understand your evidence. In the February meeting you say you did discuss Anavar suggesting it would be another steroid to use because of the advantages you heard about it in Rome?

THE WITNESS: Mm-hmm.

THE COMMISSIONER: You discussed that at

that meeting?

THE WITNESS: Correct.

THE COMMISSIONER: That would be for other people because you weren't considering that yourself?

THE WITNESS: I was not considering going back on anything, correct.

THE COMMISSIONER: So, you were just discussing it for their benefit?

THE WITNESS: Correct, sir.

THE COMMISSIONER: I see, thank you.

MR. ARMSTRONG:

Q. I guess I understand the answer to the last question, the Commissioner and you were discussing for their benefit. Just let me ask you one more question.

Why would you bother going to the meeting if it was going to be a discussion about steroids in which you really wouldn't have any interest, if you had made the decision already not to go on a steroid cycle?

A. But, who said the meeting was pre-arranged and it was going to be discussing steroids.

Q. Well, again, fortunately, I get to ask the questions, you get to answer then. I take it what you are saying is when you went to the meeting you didn't know that it was going to be about a discussion concerning

steroids?

A. Correct, because I visited Angella on several occasions. It's not the first time I've, you know, been to the house, actually.

Q. All right. Then you told us already before the luncheon break that you did get a bottle of Estragol in the spring of '88 from Charlie Francis but -- and that was, I believe, to be for you and Mark McKoy but you never --

A. Myself and Mark and Molly.

Q. And that was kept in your apartment and so far as --

A. Correct.

Q. ---you were concerned, you never took any?

A. Correct.

Q. Or had any injected into you?

A. As far as I'm concerned.

Q. And as far as you are aware, the injections you got that spring, either in your apartment or at the track, from Waldemar Matuszewski were vitamin B-12 and inosine?

A. Correct.

Q. And if he were to testify, and I'm not saying necessarily that he will, but if he were to testify

that he gave you some Estragol, he would be incorrect?

A. That's right, sir.

Q. So far as you are aware?

A. Because whatever I gave Waldemar was from what Charlie gave me, which is the inosine mixture with the B-12.

Q. All right. Then, I want to move along to the summer of 1988 and you told me, when we went through your background, that you, together with the other members of the Mazda Optomist sprint group, attended the nationals and then went on the European circuit commencing in Sestriere and concluding in Cologne?

A. Correct.

Q. The evidence that we have it so far, Mr. Williams, is that on August the 23rd, the group arrived home, Angella Issajenko having arrived back a little earlier because she came home from Zurich?

A. She got hurt in Zurich, correct.

Q. Now, did you -- when you returned to Toronto on August the 23rd and after that, become involved in another cycle of drugs?

A. No, I didn't.

Q. Were you aware that others were involved in a cycle of drugs?

A. Well, the discussion was mentioned that

there could have been something fitted in prior from then until between then and until Seoul.

THE COMMISSIONER: I'm sorry, the discussion was what? Can you just get a little closer to the mike? The discussion was that something should be fitted in, is that what you said?

THE WITNESS: Yes, there could have been something done in that duration of time prior to the Olympic Games.

THE COMMISSIONER: Thank you. Thank you very much.

THE WITNESS: Okay.

THE COMMISSIONER: That would be a steroid program of some sort should be fitted in to this period?

THE WITNESS: Yes.

MR. ARMSTRONG:

Q. All right. And who mentioned that, Mr. Williams?

A. If I recall 100 per cent, Charlie Francis did.

Q. And where were you when that was mentioned?

A. At the track centre.

Q. That's out at York University?

A. Yes, if I can recollect 100 per cent, yes.

Q. And who was present for that discussion?

A. I think myself, probably Angie, Mark -- I don't know if Molly was there at the time but I think probably just us.

Q. Was Dr. Astaphan there?

A. As far as I can recall, no.

Q. Had -- I asked you earlier about Dr. Astaphan and you told me that up until you had rejoined the Charlie Francis group in 1987, that you had not been a patient of or been in any way involved with Dr. Astaphan?

A. That's correct.

Q. Now, did you have occasion to meet him in the summer of 1988 when he -- he, I believe, was with the group that went to Sestriere?

A. Yes.

Q. All right. And up to that time, through 1988, had you ever gone to Dr. Astaphan's office?

A. I've never been to Dr. Astaphan's office.

Q. I'm sorry. That really is not an appropriate question because he didn't have an office in Canada.

A. Okay. To answer that question, never been to Dr. Astaphan's office.

Q. Okay. Fair enough. I'm not surprised. Then did you become aware that at any time that Dr. Astaphan indeed was the original source of the milky white substance which was called Estragol?

A. Like I said -- like, I would not know who were -- Charlie got it from but on occasions, I could, you know, say, yes, maybe it came from Jamie or wherever because I can't say that it came from Jamie.

Q. All right. Then -- I'm sorry, I went down a side track again. Going back to this discussion with Charlie Francis, Mark McKoy, Angella Issajenko and you think maybe Molly?

A. Mm-hmm.

Q. Tell me please, what you recall about this discussion that perhaps another cycle could be fitted in prior to the Olympics?

A. That's what the discussion was about.

Q. Did Charlie Francis indicate what the cycle would involve?

A. Well, the same substance for maybe a week, so maybe you could get four or five shots in before....

Q. Of Estragol?

A. Of Estragol, yes.

Q. Was there any discussion, Mr. Williams, of growth hormone at that time?

A. Not as far as I can recall.

Q. Do you ever remember a discussion that included Dr. Astaphan on the plane coming back from Europe?

A. I was not on the same plane with Dr. Jamie Astaphan. There were two flights out of Dusseldorf.

Q. Yes?

A. Myself, Mark, Waldemar Matuszewski, Charlie Francis and his fiance were on one flight.

Jamie, Ben and -- who else? I think maybe Atlee Mahorn might have been -- yeah, Atlee was there, on another flight, because there was a discrepancy. Both flights went through London and they had to reconnect with another flight out of London back to Toronto.

Q. All right. Going back then to the discussion with Charlie Francis up at the track centre, what was the response of the people attending the meeting to the suggestion that there be another cycle of drugs before the Olympic Games?

A. Nothing really, you know. My -- how could I say, my limited conversation in it was, you know, pretty much null and void because I already planned. And,

I mean, why should I get back on something when I already, you know, decided to stop anyways. And go for six days is not going to help me any, anyway, so what difference does it make?

Q. What about the others? Was there any response from the others as to the desireability or undesireability of another cycle of steroids?

A. Not as far as I can recall.

Q. So, Charlie Francis just made the suggestion that there was a possibility of another cycle of the Estragol or milky white stuff?

A. Correct.

Q. And you don't recall ---

A. No.

Q. ---what the response was of anyone?

A. No.

Q. And you describe yourself, your response was, as you put it, null and void in the sense that you had already decided not to take anymore steroids?

A. Correct. Because I could have gone on to West Berlin, if I wanted to, but Charlie's comments to me were, why go and risk injury because I think, at the time, Mark had hurt his hamstring in Cologne, Ben was a little bit tired and everything else, so everybody decided -- and Atlee was hurting. And that's basically a

4 x 1 relay right there. So, everybody decided to go on, to come on home.

But, I think, if I can recall 100 per cent Larry Heidebrecht wanted me to go to Berlin because it's not really a common thing, to do -- to make an arrangement. It looks bad on the meet promoter because he already advised that X -- these amount of people are coming and for us not to show up.

So, I think Larry might have taken a little bit of flack because -- you know, for making an arrangement with the meet promoter and we not showing up.

Q. All right. When the group ran in Europe that summer -- well, that summer, last summer, in August, we know that Ben Johnson did not do particularly well; we know that Angella Issajenko was hurt, didn't do particularly well. How did you fair?

A. I faired pretty competitively. I ran amongst my best times ever.

Q. Did you run in the 100 metres in Zurich?

A. Yes, I did.

Q. And what was your time?

A. I ran 10.19.

Q. However, what was your placing?

A. Eighth.

Q. And did that cause you -- I know time, we certainly have heard many times, that the significant element in all of this is a person's time, not necessarily where they place, but you're looking down the road to the Olympics. Did it concern you that a month before the Olympics, in the meet in Zurich, you only ran 8th?

A. No, it didn't concern me any because I think, if you can recall when I came back home, I was still confident because I already said to one of the -- a TV interviewer here, he asked me what do I think about -- you know, we had a bad summer in Europe, what do I think about Seoul.

And I said to him, you know, I'm not going to worry about him because I think the same 8 guys that ran in Zurich are going to be by the same 8 guys in the finals in Seoul and, low and behold, there was only one person that didn't make it and that was Chidi Imoh because he got hurt. So, you know, I was batting 900. So -- I mean, it didn't bother me any because the 10.19 to me was within the range that I was running early on in the summer anyways, so, you know, it sort of boarded out.

Q. Fair enough. And how did you do in Cologne, do you remember? Did you run 100 metres in Cologne?

A. I came fourth, I think, in Cologne.

Q. All right. In the final?

A. Yes.

Q. And what was your time there?

A. I think 10.29 or 10.30, something like that.

Q. All right.

THE COMMISSIONER: Well, that would be quite slow for you, 10.29?

THE WITNESS: Well, everybody ran pretty slow that day because I think the winning time was like 10.20 something -- 10.21 or something like that. Calvin Smith had ran 9.97 a couple of days before. So somehow everything was a little bit off.

MR. ARMSTRONG:

Q. Recognizing that you had already made the decision not to go back on a steroid cycle, did it seem strange to you, if I can put it that way, that as close to the Olympics as you were, that Charlie Francis was recommending a cycle of steroids?

A. Well, not at all because I think he should have -- of everybody, he should have known because he said to me before that they've done it before in the past. They've used it before. So I think the clearest date I think you had, like, enough period of time before

you ran anyways to get off the substance, and you had enough days to basically clear. So I don't think it bothered him that way.

Q. Could I just have a moment, please? I'm sorry. I want Exhibit 126, thank you.

Now, Mr. Williams I'm sure you're aware of the evidence in this Inquiry from both Mr. Francis and Ms. Issajenko that when the group returned to Toronto, there indeed, was a cycle of steroids or a steroid drug program devised, the author of which was Dr. Astaphan.

And I just want to show you a sheet of paper that has been entered as Exhibit 126 which is a document in Dr. Astaphan's handwriting which sets out the protocal commencing on August 23rd for Angella Issajenko.

And there is a protocal that involves injections of inosine, Estragol and growth hormone. The I standing for the inosine, the E for the Estragol and the G for the growth hormone.

Now, did you become aware that some members of the group, including Angella Issajenko, received such a protocal from Dr. Astaphan?

A. No, sir.

Q. Were you aware that Mark McKoy received a sheet from Dr. Astaphan similar to this, that was intended for you and Mark McKoy?

A. No, sir.

Q. You were living with Mark McKoy at his house at that time?

A. Yes, I was.

Q. And I expect the evidence will be from Mark McKoy that he received a protocal sheet, if I can describe it as such, like Exhibit 126 from Dr. Astaphan, up at York University after practice, and also received a vial of growth hormone and that the protocal sheet was intended for you and Mark McKoy as was, of course, the growth hormone.

I expect that's what he's going to say.

A. Well, if you say that, I did not see whatever Mark received.

Q. And did Mark McKoy ever tell you, prior to the events in Seoul, that Dr. Astaphan had devised such a protocal for you and him?

A. No, sir.

Q. Is -- Mark McKoy, I take it, is a good friends of yours?

A. He's a friend of mine, yes. He's my best friend, actually.

Q. I -- just ask you this, is it perhaps not surprising that your best friend would not have told you about the fact that he had received some growth

hormone and a drug protocal for both you and him?

A. No, it doesn't surprise me any. I think Mark is his own person and if Mark and I were supposed to be doing the same thing and we decided not to do it, I don't think Mark would have showed me the paper or told me about anything.

Q. I'm not, believe me, going to beleager this, but let me suggest that this -- this to you, wouldn't your best friend come home and say, look, Desai, I just met Astaphan and he's given us growth hormone, given this protocal. I know you're not interested, I'm not interested and just toss it away.

A. Maybe that's what he did.

MR. FUTERMAN: Mr. Commissioner ---

THE COMMISSIONER: There's nothing wrong with that question, Mr. Futerman.

MR. FUTERMAN: It's hypothetical. He said it wasn't said and now he's asking, would he do this?

THE COMMISSIONER: I think it is hypothetical, Mr. Armstrong. But, it's just a followup question.

THE WITNESS: Well, if I say this to Mr. Armstrong.

MR. ARMSTRONG: I think you better hold up. I'm sorry, I didn't get the Commissioner's ruling.

THE COMMISSIONER: He's just trying to pursue the fact that if Mr. McKoy did get such a document for your joint interests, it would be normal for somebody to discuss it even if you weren't going to use it.

THE WITNESS: True. But I can also say to Mr. Armstrong, that up to now, Mark hasn't come forth and told me the reason why he left Seoul.

THE COMMISSIONER: I don't understand you?

THE WITNESS: Well, he is saying that if Mark received stuff from Jamie and we are best friends and he didn't show it to me or he should have showed it to me, if he was as good a friend as he is saying that Mark is, it's the same thing, it's vice versa, I think --

THE COMMISSIONER: Are you saying Mr. McKoy has not told you yet why he left Seoul?

THE WITNESS: Correct.

THE COMMISSIONER: I see. So, that in other words, even best friends don't tell each other everything, is that the picture?

THE WITNESS: I don't think best friends tell each other everything, no, I don't think.

THE COMMISSIONER: That's the point you are making?

THE WITNESS: Correct.

MR. ARMSTRONG:

Q. Let me ask you this: Have you ever asked him why he left Seoul?

A. In the sense. I think in due time he will come out and he will tell me why he left Seoul.

Q. That wasn't the question. My question to you is did you ever ask him why he left Seoul?

A. I have.

Q. What did he tell you?

A. He said you will find out at the Inquiry why he left.

Q. Then did Dr. Astaphan ever give you a drug called Modurat?

A. Modurat?

Q. Yes?

A. No.

Q. Did Mark McKoy ever give you a drug called Modurat --

A. What's Modurat?

Q. -- to take? It's a diuretic?

A. What is Modurat? It's a diuretic.

Q. It's a diuretic?

A. No, sir.

Q. Just there is no mystery to this, there is some evidence in the hearing that introduced into this program both in Toronto and perhaps also in Toyko, was a diuretic used for the purpose of --

THE COMMISSIONER: I thought --

MR. ARMSTRONG: -- of flushing the steroid out of the system.

THE COMMISSIONER: I thought the first time that diuretics were introduced was when they left Toronto

for Japan and Seoul, not before.

MR. ARMSTRONG:

Q. No, Angella Issajenko, I believe, testified that she received a prescription which she took to the drug store and had filled for a --

A. Yes, I got a --

Q. -- a diuretic?

A. You asked me if Jamie gave me that diuretic stuff. No, he gave me a prescription, yes, he did, for a laxative also with whatever that substance you mentioned before.

Q. Modurat?

A. I don't know what name it was.

Q. A diuretic?

A. I will assume that's what it was, yes, but I know he gave me a prescription with something else on it, and a laxative.

Q. All right. Did you fill that prescription?

A. Yes, I did.

THE COMMISSIONER: Was that before you left Toronto for Japan?

THE WITNESS: This was in August. So, it had to be before, yes.

THE COMMISSIONER: At the end of August?

THE WITNESS: Around, yes.

THE COMMISSIONER: You were to take that with you when you were going to -- you were on -- this is with you when you were on your way to Seoul?

THE WITNESS: Did I have that stuff with me? No, I didn't.

THE COMMISSIONER: It was given to you before that; is that right?

THE WITNESS: I filled the prescription, sir, yes.

THE COMMISSIONER: From Dr. Astaphan?

THE WITNESS: Yes.

THE COMMISSIONER: And I am sure I was under the wrong impression that Dr. Astaphan never administered or gave you any --

THE WITNESS: Any drugs?

THE COMMISSIONER: -- any treatment?

THE WITNESS: No, he didn't. The only time that Jamie gave me any treatment was when we were in Toyko.

THE COMMISSIONER: When did he prescribe this medicine for you?

THE WITNESS: In August of '88.

THE COMMISSIONER: He gave a prescription?

THE WITNESS: Yes, he did.

THE COMMISSIONER: And was that the first time you consulted him as a doctor?

THE WITNESS: The first time that I consulted Jamie as a doctor?

THE COMMISSIONER: Yes?

THE WITNESS: Yes, I did.

THE COMMISSIONER: Where was that, do you know?

THE WITNESS: That he gave me the presription? If I can recall, he gave me the presription, I think, in Toronto at the Track Center in front of probably Waldemar Matuszewski in the massage room.

THE COMMISSIONER: Well, didn't he give all the athletes on the way to Seoul this diuretic? That's what we heard or --

THE WITNESS: All the athletes? As far as I can recall, no.

THE COMMISSIONER: Well, the evidence so far has been that, and I may be in error, I thought that for the first time on the way to Seoul, via Japan, diuretics were given to the athletes?

THE WITNESS: On the way to Seoul?

THE COMMISSIONER: On the way to Seoul, yes?

THE WITNESS: Nothing was given to me on my way to Seoul, sir.

THE COMMISSIONER: You went -- you went from Toronto to Vancouver, Vancouver to --

THE WITNESS: Vancouver to Toyko.

THE COMMISSIONER: -- Toyko, Toyko to Seoul?

THE WITNESS: Yes, correct.

THE COMMISSIONER: And when were you given these diuretics?

THE WITNESS: I was given a prescription in Toronto.

THE COMMISSIONER: Where did you fill it?

THE WITNESS: In Toronto at where Mark's brother works. I think he works at the Peanut.

THE COMMISSIONER: You didn't take that medicine with you?

THE WITNESS: No, sir.

THE COMMISSIONER: Why wouldn't you take medicine with you if you got a prescription for medicine? I don't quite understand that?

THE WITNESS: He told me, Jamie told me to go and get this, right, because it was a laxative. And what the laxative does is that we go into a different --

THE COMMISSIONER: We also -- there was

another substance which Mr. Armstrong had mentioned to you?

THE WITNESS: But Jamie did not tell me anything that there was a diuretic on it. So, he just tell me to go and fill this prescription. And I gave it to Mark's brother --.

THE COMMISSIONER: I thought you said you thought it was a diuretic plus a laxative?

THE WITNESS: But he said there was two things, right, which there were, but I don't know --

THE COMMISSIONER: No, you are the one who said two things. I think he just said --

THE WITNESS: No, he said -- yes, I said that, there is two things. He said one was the thing and I told the other -- the other one was a bottle with laxative. It was a laxative in a bottle.

THE COMMISSIONER: What was the other thing?

THE WITNESS: I don't know what it was because I didn't use it. It was a laxative. It says laxative, mild laxative.

THE COMMISSIONER: What was -- I thought you said there were two. I am just trying to understand your evidence.

THE WITNESS: He said there was Mobolate

(Phon) or whatever he said it was.

MR. ARMSTRONG: Modurat?

THE WITNESS: Modurat, right. I don't recall such a name. Then I said to him was, yes. If he said diuretic, there probably was a diuretic there because the vial came this small, and there was a big bottle with a laxative sign on it saying mild laxative.

THE COMMISSIONER: Well, there are two different things that you got from the prescription?

THE WITNESS: That's what I said.

THE COMMISSIONER: One was a small thing called -- it may have been a diuretic, you think now?

THE WITNESS: Exactly.

THE COMMISSIONER: The other was a bottle of laxative?

THE WITNESS: Correct.

THE COMMISSIONER: You left that in Toronto, I guess?

THE WITNESS: Correct.

THE COMMISSIONER: Why would you do that? If it's a regular medication, I thought you would take it with you?

THE WITNESS: But it's not -- Jamie just said take a couple of teaspoons of this stuff and it will just flush your system, basically. He said it's a mild

laxative, but I did not take any of it.

THE COMMISSIONER: You didn't take that either?

THE WITNESS: I did not take any of them.

THE COMMISSIONER: Did you not ask the doctor for it? How did you get it, then?

THE WITNESS: Jamie gave me a prescription.

THE COMMISSIONER: Without your asking for it?

THE WITNESS: Correct, because I think that what Jamie probably assumed is that because he gave Mark some substance, according to Armstrong, that I would have known about, and he gave me the prescription.

THE COMMISSIONER: He must have thought you were taking these drugs?

THE WITNESS: Correct, sir.

THE COMMISSIONER: I see.

THE WITNESS: So, he thought you were taking the substance, and he gave you a prescription --

THE WITNESS: And gave me the prescription to go and fill --

THE COMMISSIONER: -- and you took the prescription. And did you go to a pharmacist to fill it out?

THE WITNESS: I gave it to Mark's brother who works at the --

THE COMMISSIONER: Yes, but I mean you had it filled?

THE WITNESS: Correct, sir.

THE COMMISSIONER: Even though you didn't ask for it and didn't need it?

THE WITNESS: Correct, sir.

THE COMMISSIONER: All right.

THE WITNESS: Up to today I don't even know what it was for because Jamie did not sit down and talk to me or mention anything at --

THE COMMISSIONER: You didn't know you asked to have it filled?

THE WITNESS: Pardon?

THE COMMISSIONER: You don't know why you even had it filled, then?

THE WITNESS: Well, no, I knew. He told me to take the laxative just to flush our systems, basically.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. So, he gave you the prescription for the mild laxative?

A. Correct.

Q. And the prescription for something called Modurat?

A. Everything was on one --

Q. One script?

A. Correct.

Q. All right. And why, if you weren't going to take the stuff, why would you bother going and filling the presription because you tossed the prescription in the garage?

A. Well, he told me that the laxative would flush my system out. That's what he said to me. Tell me just because we going to a foreign place, take the laxative, we have major competition coming up, just flush your system right out.

Q. Did you take the laxative?

A. Did I? No, I did not, but it's a common thing for -- how can I say -- that usually kids growing up in the West Indies, or whatever, that you take a laxative maybe three or four times a year just to flush your system anyways. So, it was probably just -- I just assume that it was just a thought on Jamie that, you know, we should take a laxative.

THE COMMISSIONER: I think you said that he thought you were on -- he assumed you were on this

program.

THE WITNESS: Exactly.

THE COMMISSIONER: And the diuretic would help you to excrete the steroids before the test?

THE WITNESS: Probably, if that's what a diuretic does.

THE COMMISSIONER: Yes.

MR. ARMSTRONG:

Q. Did you think that that's what it was for?

A. Like I said, I don't know what was on the prescription other than the laxative. I did not know there was a diuretic with the other laxative.

THE COMMISSIONER: Let's get on, Mr. Armstrong.

MR. ARMSTRONG:

Q. All right. Could I just ask you one more question. When did you decide not to take the stuff?

A. After I got it from -- after Mark's brother brought it home, it was like a big bottle with the laxataive stuff. And I said, well, what's this for, right. And like Mark said, I don't know, you know, and that was it.

Q. All right. Then there I believe has been or may be some evidence -- I am sorry, let me put it this way.

A. Go ahead.

Q. When you were in Toyko, did Dr. Astaphan give you any drugs to take when you were in Toyko?

A. Any drugs?

Q. Yes, anything?

A. As far as I could see, I don't think Jamie would give me any drugs in Toyko.

Q. All right.

A. I will say no.

Q. All right. And more particularly, when you were in Toyko or wherever you were in Japan --

A. Correct.

Q. -- for the warmup meet that you were at, or the training camp that you were at --

A. Correct.

Q. -- did he give you a diuretic?

A. As far as I can tell, no. The only thing that Jamie gave me in Toyko was an Inosine shot and an anti-inflammatory shot for which I think is a cortizone for me heel. I had planterfaciaitus and he gave me a shot in my heel for it.

Q. Now, going to Seoul and the 100 meters, we know that the first heat and quarter finals were run on Friday the 23rd, the semi and the finals --

A. Correct.

Q. -- were run on the 24th?

A. Which is a Saturday, correct.

Q. Yes. Now, prior to competing in the 100 meters, did you receive a bottle of honey and vinegar?

A. After the first day's competition.

Q. Yes.

A. Yes.

Q. The first day's competition being --

A. Which is the Friday, the heats --

Q. -- the heats and the quarter?

A. -- and the quarter finals. Mark stayed over at a -- at the Hilton where Ben and everybody else were staying, and he brought it back. And Jamie said -- he said to me, Jamie said to give this stuff to Ben, that's what Jamie said to me, just give the stuff to Ben after the 100 meter final.

Q. Jamie is saying this to Mark who is saying this to you?

A. This is Mark speaking now to me that I should give this stuff to Ben. And like I looked at the

bottle and I saw honey and vinegar, it was made in England or something like that. And I said, what, this for, right. And Mark said, I don't know, he said Jamie said to give it to you and you should give it to Ben when we get into the call room after the 100 meter final.

Q. Into the call room after the 100 meter final?

A. Yes.

THE COMMISSIONER: There is no testing after a heat, is there?

THE WITNESS: No, there is no -- I am saying I got it the evening of, after the --

THE COMMISSIONER: I understand. There is no testing for the heats, thought, there is no --

THE WITNESS: Very randomly. They will probably test one or two athletes after the heats.

THE COMMISSIONER: Before the semis?

THE WITNESS: Yes, they do that.

THE COMMISSIONER: But this was done but before the first heat you were given this stuff to -- this vinegar --

THE WITNESS: The evening prior to the semi and the final of the 100 meters.

THE COMMISSIONER: Well, that would be on the Friday night, then?

THE WITNESS: Correct, back at the Athletes' Village it was given to me.

THE COMMISSIONER: You were to give it to Mr. Johnson the next day?

THE WITNESS: Pardon?

THE COMMISSIONER: You were to give it to Mr. Johnson, you say?

THE WITNESS: I was supposed to give it to Ben the next day.

THE COMMISSIONER: The next day. Thank you.

THE WITNESS: Which is the Saturday --

THE COMMISSIONER: Right.

THE WITNESS: -- after the 100 meter final.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. Was there any suggestion that it was for you as well as Ben?

A. Yes, there was suggestions that it was for myself and Ben. And I asked Mark, I said to Mark, I said what is this for. And he said, I don't know, Jamie just said to give it to you and give half of it to Ben.

Q. All right. And when were you to -- presumably you were to drink it, obviously. When were

you to drink it?

A. After the 100 meter race.

Q. All right. Yes, you mentioned that, when you were in the -- something called the call room?

A. Yes, where you pick up your --

THE COMMISSIONER: After the finals or after the semis?

THE WITNESS: After the finals.

THE COMMISSIONER: After the finals?

THE WITNESS: Where you pick up your clothing and everything else after the race is over.

THE COMMISSIONER: All right, thank you.

MR. ARMSTRONG:

Q. What did you do with the bottle when you got it?

A. The bottle?

Q. The bottle of honey and vinegar?

A. I put it in a water bottle which is -- if you can look at the TV or what everybody saw on TV, somebody giving Ben a bottle, and Ben left it on the bench, that was the bottle that I was supposed to give to Ben.

Q. I see. And then when you got it, it was in a bottle that had a label on it that said honey and

vinegar?

A. Yes.

Q. Was that an ordinary commercial label or was that just a label that somebody had put on it and written "honey and vinegar"?

A. Ordinary. It was the regular label on it, it said honey and vinegar, made in England or something like that. I think it was for cooking, or whatever.

Q. Might it have said "honeygar"?

A. Honeygar?

Q. Honeygar?

A. Honeygar?

Q. Yes.

A. I can't recall if it said honeygar --

Q. All right.

A. -- maybe something else. I don't know what it was.

Q. Okay. Then you took it and put it into an ordinary --

A. Water bottle.

Q. -- athletes water bottle?

A. Correct.

Q. What did you do with it then?

A. I took it to the track with me the

morning -- the afternoon of the semifinals.

Q. Yes. And I suppose it was in your training bag, was it?

A. Yes, it was.

Q. And just to move this along, did you keep it in your training bag that went to the call room --

A. That we take right into the stadium, correct.

Q. And so, you would have gone to the call room after the final to pick up your bag and the contents of it?

A. Correct.

Q. And did you then give the honeygar -- or, I am sorry, the honey and vinegar to Ben Johnson?

A. Correct.

THE COMMISSIONER: Did you take any yourself?

THE WITNESS: No, I did not.

THE COMMISSIONER: Why not?

THE WITNESS: Because I didn't see any need for me to do it, to drink any of it.

MR. ARMSTRONG:

Q. Is that because you hadn't taken any steroids?

A. Well, I mean, I would assume that there was something behind it. Why should I drink honey and vinegar after a race, I mean --

THE COMMISSIONER: You weren't going to be tested, anyway?

THE WITNESS: Well, we don't know -- you don't know who is going to be tested. Chances are you probably could have tested all eight athletes if they wanted to.

THE COMMISSIONER: I see, I didn't realize that.

THE WITNESS: You know, like there is a chance that you could have been.

THE COMMISSIONER: Right.

MR. ARMSTRONG:

Q. All right. Had you ever -- had this ever happened before somebody giving you honey and vinegar to drink after a race?

A. Given me--

Q. Yes?

A. -- honey and vinegar? No, sir.

Q. You have raced over the years in the same event as Ben Johnson?

A. Correct.

Q. Had you ever seen anybody give Ben Johnson or seen Ben Johnson drink honey and vinegar after a race?

A. No, sir.

Q. All right. And so, you gave it to Ben?

A. Correct.

Q. Did he drink it?

A. No, he did not.

Q. None of it?

A. None of it.

Q. What did he do with the bottle, do you know?

A. He left it right on the bench.

Q. In the call room?

A. In the call room.

Q. Is that where it remained or what happened?

A. I would assume so, because they kept it in there after because it's protocol for them right after the race to go straight to doping control while the other athletes who weren't going to doping control had to leave the area.

Q. In any event, the last time that you saw the bottle it was on the bench in the call room after

the 100 meter final?

A. Correct.

THE COMMISSIONER: You actually gave it to Mr. Johnson, did you?

THE WITNESS Correct, sir.

THE COMMISSIONER: Did you tell him the doctor told him that he was supposed to drink it.

THE WITNESS: Yes, sir.

THE COMMISSIONER: I see.

MR. ARMSTRONG:

Q. All right. Then you were not tested, I take it, after the 100 meter final?

A. No, I was not.

Q. Then did you run in the relay -- I am sorry, you have told us you ran in the relay.

A. Yes.

Q. All right. Now, there was some contraversy, all of which I confess that I find confusing and I haven't followed myself, but you are the first witness with direct knowledge of what happened in the men's 4 X 100 relay.

Can you just take a minute of your time and the Commissioner's time to tell us about your involvement in the 100 meter relay, please.

A. Okay. Being the senior member of the relay team --

THE COMMISSIONER: All right.

THE WITNESS: -- you can basically say I am the captain of the team because I have been around it the longest. And the morning of the relay heat, okay, usually there is a queue to get on the bus --

THE COMMISSIONER: What date is that now, Mr. Williams?

THE WITNESS: This is --

THE COMMISSIONER: The 24th was the sprint?

THE WITNESS: Exactly. We had maybe about five or six days. So, this is like the end of --

THE COMMISSIONER: Near the end of the week.

THE WITNESS: -- September, end of September, first week of October, basically.

THE COMMISSIONER: Right.

THE WITNESS: What it was that I went to the --

THE COMMISSIONER: You said you were the captain of the team and I interrupted you.

THE WITNESS: Yes. And the night before we ran the heats, there was also a lot of bickering going on between Andrew and everybody else, who was going to running, but leading up into the event itself, I mean I

sat down with the coaches and we went over who was going to run the relay, what order are we going to run in --

THE COMMISSIONER: At that time, was it Gerrard Mach?

THE WITNESS: No, it was John Cannon, if I can recall.

THE COMMISSIONER: John Cannon?

THE WITNESS: Yes. He met me numerous amount of times to discuss what order we should run in. And my suggestion to him was that I should run first, to Attley Mahorne, to Cypriani Enwanni, to either Andrew Mowatt or Brian Morrison on last leg.

THE COMMISSIONER: Right.

THE WITNESS: And we got to the track the day of the heat -- I got to the track the day of the heat, and the other athletes were there. And I came up to the track an hour and 45 minutes prior to the race going off.

THE COMMISSIONER: Is this the first heat, you are talking about?

THE WITNES: This is the first heat.

THE COMMISSIONER: Right.

THE WITNESS: And got to the track and found out that they wanted to kick me off the relay team, they tell me I am not going to be running on the relay. So, I asked them why. And they didn't give me --

THE COMMISSIONER: Weren't you fastest sprinter of that group?

THE WITNESS: Yes, I was. So, I asked them why I am not going to be running.

THE COMMISSIONER: All right.

THE WITNESS: And they couldn't give me a reason. So, I just --

THE COMMISSIONER: Who said he --

THE WITNESS: John Cannon.

THE COMMISSIONER: He was the coach?

THE WITNESS: Exactly.

THE COMMISSIONER: Yes.

THE WITNESS: He said to me that -- John Cannon and Bruce Smith got together and they said I am not going to be running because the athletes and the coaches had a meeting, and we decided that we don't want you to run on the relay. And I asked them why, but only one athlete out of the whole group stood up for me, and that was Cypriani Enwanni. He said it's not fair what you guys are doing to Desai, I mean you guys are basically going nby guilt by association.

THE COMMISSIONER: Well, was there some suggestion that they didn't want you to run for fear that you would be --

THE WITNESS: That's what I am getting --

that's --

THE COMMISSIONER: -- have a positive finding?

THE WITNESS: -- what I am getting into.

THE COMMISSIONER: I see.

THE WITNESS: So, I am saying to them, I mean, you have spoken to me all week if I am going to run or not and I have already committed myself and said, yes. And I came to the track to run, why are you guys kicking me off.

THE COMMISSIONER: All right.

THE WITNESS: You know, but they didn't give me an explanation. And I said, well, I hope you guys go to the media and explain to them exactly why you are kicking me off the relay.

THE COMMISSIONER: But you understood why --

THE WITNESS: I understood why they were saying, why they didn't want me to run.

THE COMMISSIONER: Because they thought that you might have a positive finding?

THE WITNESS: True, but I mean they --

THE COMMISSIONER: They didn't tell you that?

THE WITNESS: No, they didn't tell me

anything.

THE COMMISSIONER: All right.

THE WITNESS: But what teed me off was they didn't come to me and ask me anything about what I have done.

THE COMMISSIONER: I see.

THE WITNESS: And they wanted to kick me off the relay. So, I said, no, it's not fair, you know.

So, I went out, and, you know, finally they said okay, well, you will run. And we didn't run it in the order that we agreed upon, only in the finals that we ran the order that I suggested to John Cannon about a week and a half before the actual race.

THE COMMISSIONER: So, you got in the finals, did you?

THE WITNESS: Yes, but we had a good chance of winning a medal with the group that we had if we had ran it in the order that I suggested ahead of time.

THE COMMISSIONER: Well, it's not going to be a decisive matter, but what was the order?

THE WITNESS: In the final?

THE COMMISSIONER: Yes.

THE WITNESS: Myself to Attley Mahorne.

THE COMMISSIONER: That's what you suggested to begin with?

THE WITNESS: Yes. To Cypriani Enwanni, because Cypriani already made the semifinals, he ran 20:50.

THE COMMISSIONER: Right.

THE WITNESS: Attley ran 20:30-something, or something like that.

THE COMMISSIONER: No, you ran first, Attley second --

THE WITNESS: Cypriani Enwanni. We put the three best runners at that time on the first three legs.

THE COMMISSIONER: And they were the first, second and third. And who ran fourth?

THE WITNESS: Brian Morrison.

THE COMMISSIONER: Well, that was the order you suggested?

MR. ARMSTRONG: Mowatt or Morrison?

THE WITNESS: That's the order -- pardon?

MR. ARMSTRONG: I am sorry, it was Morrison?

THE WTINESS: Brian Morrison ran last.

THE COMMISSIONER: That was the order you suggested?

THE WITNESS: That's the order I suggested from first --

THE COMMISSIONER: That's not the way you ran?

THE WITNESS: That's not the way we ran the heats.

THE COMMISSIONER: But that's the way you ran the finals?

THE WITNESS: That's the way we ran the final. So, they finally agreed with, but the whole theory to it was I set it so that we can -- in order for us to get a good lane. And I think if we had a better lane other than lane one in the finals, we probably could have gotten a medal.

THE COMMISSIONER: I see. So, you would have done better in the heats, you think, with that --

THE WITNESS: Exactly, and we would have gotten a better lane because usually the best lanes --

THE COMMISSIONER: When was it agreed that you could finally run? I am sort of the puzzled now that the two coaches are saying --

THE WITNESS: That same morning.

THE COMMISSIONER: This all happened the same morning?

THE WITNESS: Brian McKinnon stood up for me.

THE COMMISSIONER: They never told you that

they were suspicious of what --

THE WITNESS: No, nobody came up to me and told me anything.

THE COMMISSIONER: I see.

THE WITNESS: I mean let me control my own destiny.

THE COMMISSIONER: But you finally convinced them to allow you to run?

THE WITNESS: Yes, sir, myself and Brian McKinnon did, which was another coach that was there.

THE COMMISSIONER: Was there any talk amongst the group at that time, following Mr. Johnson's disqualification, that other members should not -- other members of our team shouldn't run, sort of pretend they had an injury or something of that nature? Was that discussion going on?

THE WITNESS: No, there was wasn't any discussions about that, but I can recall one incident where a coach from U. of T. stuck his finger in Tracy Smith's chest and said you make sure that you are clean by tomorrow for the long jump finals. And that didn't go over too well.

THE COMMISSIONER: Well, there was no suggestion that other people in the group perhaps should indicate they had an injury or emphasize an injury, not

continue to run?

THE WITNESS: No, there was no suggestion at all. By what, the coaches and the athletes?

THE COMMISSIONER: Yes --

THE WITNESS: Yes, no.

THE COMMISSIONER: I see. All right.

MR. ARMSTRONG:

Q. Just following up, Mr. Williams, on some of the questions that the Commissioner asked you.

Going into the Olympics, prior to the 100 meter men's final and Ben Johnson testing positive, was the team fixed at that point in time as to who was going to be on it?

A. On the relay team?

Q. Yes?

A. Pretty much so, yes.

Q. And who -- we know, of course, that Ben Johnson would have been one of those individuals --

A. We had three --

Q. -- and you would have been, obviously?

A. Sure.

Q. And who were the others?

A. Ben Johnson, myself, Attley Mahorne, right.

Q. They were sure starters?

A. We were the three guys that would definitely run the relay for sure.

Q. I see.

A. And the others would depends on Mark's health, because he wanted to run depends on how -- Mark

Q. Mark McKoy?

A. -- Mark McKoy's health --

Q. Yes.

A. -- after his hurdle race. And we had Andrew Mowat and Brian Morrison. So, we had six guys for the first time in any sort of international competition that we had --

THE COMMISSIONER: One would be selected for the -- you don't have to have the same four, do you, to run in the --

THE WITNESS: No, you don't, you can run, four other guys --

THE COMMISSIONER: Right.

THE WITNESS: -- in the semi than you can, you know, in the heats.

THE COMMISSIONER: But you had a strong team, in your view?

THE WITNESS: Well, yes, we did, if the four guys -- if we put the four best guys on the track, yes, we

did.

THE COMMISSIONER: I interrupted you, you said but that was all set pretty well until the morning of the meet?

THE WITNESS: Exactly.

THE COMMISSIONER: Of the heats, I should say?

THE WITNESS: Exactly.

MR. ARMSTRONG:

Q. All right. Then after Ben Johnson had his positive test revealed, and, unfortunately, was disqualified from further competition in the Olympics, was Mark McKoy still a candidate to be on the relay team?

A. Yes, he was.

Q. And we know that he left Seoul early, but at any point leading up to the time he left, was any decision made as to whether he would in fact be one of the four members of the relay team?

A. There wasn't a confirmed decision that the four guys would run, no, there wasn't confirmed. It wasn't final that all four of us would run.

Q. All right.

A. We had it open where that we can slip somebody in or out, no matter what the circumstances.

Q. I see. So, with Ben Johnson having gone home --

A. That's correct.

Q. -- you still had five people for four places?

A. Correct -- well, actually six because --

THE COMMISSIONER: Without counting McKoy?

THE WITNESS: Without counting McKoy? Yes we had five solid legs still, yes.

MR. ARMSTRONG:

Q. All right. And were you involved in a discussion with Angella Issajenko at Seoul after the positive test of Ben Johnson became known as to what possibly might have happened?

A. I did not have a discussion with Angie stating anything that might have happened. The first thing that I knew -- I sort of heard it secondhand. I found out about the situation secondhand. And I just said "impossible". That was my thing, impossible, untrue.

Q. It was on the --

A. It would have been --

Q. -- Monday morning that --

A. -- in Seoul.

Q. -- that the A sample test was known among at least a certain group of people. The public announcement of the positive finding on both the A and the B became known in Seoul at 8:30 in the morning Tuesday.

When did you first hear that Ben Johnson had tested positive?

A. The Tuesday morning.

Q. All right.

A. The Tuesday.

Q. After the public announcement?

A. After the public announcement.

Q. From whom did you find that out?

A. I think if I can recall, I think Molly was the one who came and she knocked on my door and said -- she was crying. She said, you know, guess what, Ben had a positive test. And my reaction was "no way, impossible".

Q. All right. And I suspect you know now that one of the theories that emerged --

A. Yes.

Q. -- in Seoul, particularly from Angella Issajenko, was the possibility of sabotage. Did you have a discussion with her about the possibility of Ben Johnson having been sabotaged?

A. Well, what I heard from Angie was that

Charlie phoned and told her that one of the theories could have been that Waldemar was administering a steroid in the cream. And I just, you know, like it doesn't make any sense at all to me.

And I think at the time Angie said -- well, I think Charlie told Angie not to mention anything to anybody, just leave it as is, it's just a suggestion. And I think a couple -- maybe the same day of the relay, I think, she mentioned something to the media about it that it could have been Waldemar. And I think at the time Waldemar was terribly shaken that, you know, I mean he couldn't hardly function basically. He couldn't even insert a key into the lock of his door. So, you know, I think he felt it pretty hard.

Q. Did you tell Angella Issajenko that you didn't accept the sabotage theory?

A. Well, I mean it's obvious. I mean I don't think that anybody could be, you know, doing anything like that to an athlete. I don't think Waldemar would do something like that to Ben, anyways.

Q. Then, Mr. Williams, again it's my obligation to ask for you your comment, if any, on some evidence that Angella Issajenko gave. And I am just going to read you from the transcript of what she said about a conversation which she had with you after Ben tested

positive.

She said, and Desai said to me that he did not believe it was sabotage. He said I passed with 28 days at the nationals, I gave it 28 days here, and I just think Ben and Jamie cut it too close.

Now, did you say that to Angella Issajenko?

A. That's not true, sir.

Q. Were you tested at the nationals in Ottawa?

A. Yes, I was.

Q. And that was after the 100 meter final?

A. Correct.

Q. Then, Mr. Williams, I wanted to take you back, if I could, before I finally sit down - you will be glad to hear I am about to do so - in this period from 1983 to 1987, when you were going it alone without the Francis group or without Charlie Francis' coaching, you mentioned this morning that there had been some difficulties for you going it alone?

A. True.

Q. And you mentioned some of them. I just wanted to ask you a couple of other questions about that.

Did the Canadian Track and Field Association, during that period of time, each year sponsor training camps?

A. Yes, they did. I think it was money allotted to say each program, like say the distance program had X amount of money for training camps if they wanted. Sprint program had X amount of dollars also.

Q. We have heard that the sprint group, for example, went to Florida in 1985. There may have been other athletes --

A. To Guadeloupe.

Q. There the Guadeloupe trip I think in 1984, I am not sure that that was the CTFA program, whether that was the CTFA program or just a Scarborough program. I think maybe it was just a Scarborough program --

A. No, that was -- go ahead.

Q. Well, you can help me. Do you know whether --

A. No, I would not know if it was because I think a lot of the athletes that went were -- how could I say -- weren't at the same caliber as say myself. And I got left out of a lot of the training camps and a lot of the trips basically because I was not being trained by Charlie.

Q. All right.

A. CTFA at the time, they wanted each athlete to -- I guess to have a coach. And I think

Charlie was being paid by CTFA. So, I guess I went against the norm by not being coached by somebody that they were paying.

Q. What about Provost, Utah, again it's perhaps my fault that I am just a touch confused by the evidence. My recollection of Provost, Utah is that it was almost a combination of a training camp and a track meet?

A. That was a compulsory camp set up by the C.T.F.A. because, I think -- that was in '84.

Q. And did you attend that camp?

A. Like I say, it was compulsory. It was supposed to be a relay camp, and being a member of the relay team, I definitely had to go to that camp.

MR. ARMSTRONG: Thank you, Mr. Williams. Those are all the questions I have, Mr. Commissioner. Thank you.

THE COMMISSIONER: We'll take a short break.

-- A recess was then taken.

THE COMMISSIONER: Mr. Futerman?

MR. FUTERMAN: I thought that I was --

THE COMMISSIONER: You want to go later, I'm sorry.

Ms. Rothstein.

MS. ROTHSTEIN:

Q. Mr. Williams, I represent Dr. Koch. Would it be fair to say, Mr. Williams, that it's quite difficult to recall clearly events that happened seven or eight years ago?

A. True.

Q. And, indeed, I take it you'd agree that in particular the recollections of dates is, may not be perfect in your case?

A. To a certain extent, yes.

Q. And I take it it's for that reason that you agreed with Mr. Armstrong this morning that if Dr. Koch's records indicate that he saw you in April 1982 and not in the fall of 1981 that his records may indeed be more accurate than your memory?

A. Chances are, yes.

Q. Okay. Now, dealing with the rest of your memory about this, Mr. Williams, as I understand your evidence, when you saw Dr. Koch, and let's take it that it was in April of 1982, he conducted an examination of you?

A. Sure did.

Q. Yes. And if I have it correctly, his records indicate that in fact he did a complete physical examination, and I take it you have no reason to disagree with that?

A. When you say physical examination, what do you mean physical examination?

Q. I mean a normal doctor's physical examination, where he --

A. Including blood tests and everything?

Q. I take it that he did have some lab tests of you done?

A. No, he did not.

Q. Well, if his records indicate that some tests were done, would you have any reason to dispute that those records are inaccurate?

A. I did not have any blood tests or any physical examination done with Dr. Koch, yes.

Q. Well, just so we're clear about this, I don't have the records in front of me, although I can certainly get them --

A. Sure.

Q. But his records certainly indicate that there were some laboratory tests done.

A. On me?

Q. Yes.

A. And I'll say that's definitely incorrect.

Q. Well, I'm showing you one of those records which would appear to indicate that in fact -- well, first of all, let me show it to you. It has at the top "Desai Williams," and it seems to have been done -- I'm looking for the name of the lab. My recollection is that it was the Cybermedix Laboratory. You can see that it's ticked off. There's a number of results.

A. Um, hm.

Q. I guess, for a starting point, it's fair to say you may not have seen that before?

A. No, I have never.

Q. But are you suggesting to me that this is a completely manufactured document; that this is not something that records a test that was done of you, Mr. Williams?

A. I know for a fact that I did not get a physical examination from Dr. Koch, and I would like to see the OHIP number that this stuff was billed to.

Q. Well, I don't think that we have to get to OHIP numbers. You'll agree with me --

THE COMMISSIONER: May I see that, please?

MS. ROTHSTEIN: Yes.

A. Because I know for a fact I did not --

MS. ROTHSTEIN: I have an original record, actually. I didn't think it was going to be a big dispute, and I don't think it's a big point, Mr. Williams, but --

A. But I am telling you, I did not get a physical examination from Dr. Koch.

THE COMMISSIONER: At the moment, we're showing some records here from OHIP, I think. OHIP number -- is your number 4392313? Is that your phone

number at the time?

A. That was my family's phone number, yes.

THE COMMISSIONER: And this is a report of the lab.

A. Um, hm.

THE COMMISSIONER: As to a blood test taken.

A. Um, hm.

THE COMMISSIONER: And urinalysis taken, a routine urinalysis plus a protein test. I don't understand all these, what these codes are, but there are several blood -- according to this --

A. Yes.

THE COMMISSIONER: The haematology test, which is your blood. There are several tests here. And were you born on December 6th, 1959?

A. I was not born December 6th, sir.

MS. ROTHSTEIN:

Q. When were you born?

THE COMMISSIONER: No, I'm sorry, the 12th. That's my fault. You were born the 12th of June; right?

A. That's right.

THE COMMISSIONER: And then it's performed at the Vansco location, routine chemistry and reference tests performed, and then it's got the results of some

urinalysis tests. But you didn't give a blood sample or urine sample --

A. No, I did not, sir.

THE COMMISSIONER: -- to anybody?

A. No, I did not.

THE COMMISSIONER: Well, did you go back and have a test done later? You were supposed to fast for 10 and a half hours. Did you tell somebody you fasted for ten and a half hours?

A. No, I did not, sir.

THE COMMISSIONER: That's strange. 170 St. George Street, I think that's where the -- is that the Medical Arts Building, 170 St. George Street?

MR. FUTERMAN: I believe it is, Mr. Commissioner.

THE COMMISSIONER: Do you have your OHIP number with you?

A. I have it in my car.

THE COMMISSIONER: Do you have it now?

A. I have it in my car.

THE COMMISSIONER: Well, let me see it.

A. In my car.

THE COMMISSIONER: Oh, it's still there, all right. I'm not sure what this is, 416-862-1637.

A. That is not my OHIP number, sir, and

I'll swear on that. That is not my OHIP number.

THE COMMISSIONER: I don't say it is. I don't know what this is here. But what you're saying is that if this is a record, that it was not taken -- you gave no urine sample or no blood sample.

A. No, I did not.

MS. ROTHSTEIN: Mr. Commissioner, if I can clarify, what you have, and if I might be permitted a moment to get the original record, you have a faxed copy from my office.

THE COMMISSIONER: Oh, that's your telephone number.

MS. ROTHSTEIN: That's correct. The number you just read is the telephone number of my office. Commission counsel has very helpfully pointed that out to me because standing up here, it did ring a bell but only a bell.

THE COMMISSIONER: Will you repeat your telephone number for me.

MS. ROTHSTEIN: I can now confirm for you, it's 862-8484, area code 416.

THE COMMISSIONER: All right. This doesn't have the OHIP number here. Okay, thank you. Well, this will go in later, I guess.

MS. ROTHSTEIN: Mr. Commissioner, it might

be of assistance if I get the original record.

THE COMMISSIONER: All right. The date April 12th, '82, that's the date that this was supposed to have been done.

MS. ROTHSTEIN: This might be helpful.

MS. ROTHSTEIN:

Q. Mr. Williams, let's start from the top. First of all, in 1982, were you living at 250 Orten Park Road, Number 9, in Scarborough?

A. That's correct.

Q. Okay. Was your telephone number 439-2313?

A. That's correct.

Q. Is your birth date 12-6-59?

A. That's correct.

Q. Is your OHIP number or was it then 77401180?

A. I can't recall my number, but I don't know for a fact that that's my number. If it's the same number as my Dad's, then it would be my number.

Q. Does it sound familiar?

A. Not really.

THE COMMISSIONER: Well, when you went to see the doctor, did you not produce your OHIP number?

A. No, I did not. I did not go and see Dr. Koch; Charlie took me to Dr. Koch.

THE COMMISSIONER: But when you got into his office?

A. No, sir.

THE COMMISSIONER: Go ahead. I'm just puzzled by this.

I see that there was --

MS. ROTHSTEIN: Perhaps it would be useful if we entered the original exhibit, and let me now show it to you, Mr. Williams.

THE COMMISSIONER: I see the result, I think, is on the 15th of April.

MS. ROTHSTEIN:

Q. I'm showing you the document which does have the top on it, which is entitled "Cybermedix Health Services". It doesn't show an OHIP number. It shows your name, the phone number which you've told us is correct.

A. Why isn't the OHIP number there?

Q. Just a moment. It shows us the patient's phone number which you've told us is correct.

A. True.

Q. It shows your birth date which you say is correct.

A. Yes.

Q. It identifies you as a male?

A. I hope so.

Q. And you say that this is not a record with respect to you, sir?

A. I did not get a physical done by Dr. Koch. That's what I'm telling you.

THE COMMISSIONER: This is not a physical examination. This is the result of a lab -- This is a lab test you have there, isn't it, Miss Rothstein?

MS. ROTHSTEIN: This is the results of a lab test.

MS. ROTHSTEIN:

Q. So that it's clear --

THE COMMISSIONER: Excuse me. That's not a physical. This is the results of a lab test.

A. But I was going by what she said to me, that I had a physical done by Dr. Koch.

THE COMMISSIONER: No, you were asked if you gave a urine sample or blood sample.

A. I told you I can't recall giving a urine sample or blood sample.

THE COMMISSIONER: No, I asked you whether you gave a urine sample or blood sample. You said you did

not.

A. Okay, I did not give a blood sample or urine sample to Dr. Koch. I did not.

THE COMMISSIONER: Not to Dr. Koch, to the lab.

A. I did not, sir. And where is the lab, sir?

MS. ROTHSTEIN:

Q. Well the lab, it's quite clear, has an office at 170 St. George Street, Suite 430. That's indicated on this sheet.

A. And I'm telling you, I did not go to no lab and give a blood sample or urine sample.

Q. Is it possible --

THE COMMISSIONER: Did you take a urine sample and blood sample with the doctor's office? Did he take a urine sample or blood sample?

A. I can't recall ever taking a urine sample or blood sample in the doctor's office, sir.

MS. ROTHSTEIN:

Q. Would you not agree, Mr. Williams, that if we have such a record it's highly likely that your memory is not perfect and that, in fact, Dr. Koch took a

blood sample and a urine sample and gave it to this lab; isn't that likely?

A. It's likely, he probably could have, yes.

Q. And so this is another example, is it not, Mr. Williams, of your recollection not being perfect about events that occurred some seven or eight years ago?

A. I did not say I was perfect.

Q. Exactly. I think as you said before, it's difficult to recall 100 percent about these events; isn't it?

A. True.

Q. Now, we've now identified the fact that at least a blood test and a urine test was done?

THE COMMISSIONER: Also, I think Mr. Armstrong read in from part of the record as to what results the doctor found from the physical examination.

MS. ROTHSTEIN:

Q. And I was going to go on -- thank you very much, Mr. Commissioner -- to say, that there was some physical examination done of you, as well. He looked, for example, at a six-week old injury and determined its status; do you recall that?

A. That's true.

Q. Okay, fine. Now, leaving that aside for a moment, you tell us that at some point in the course of this examination, and let's just call it that generally, Mr. Williams, at some point in the course of this examination, the subject of steroids came up, correct?

A. Yes, that's correct.

Q. And let's leave aside for the moment who brought it up, and I take it that you agree with me, Mr. Williams, that when the subject came up, Dr. Koch said you didn't need steroids; that you were a very healthy athlete?

A. That's correct.

Q. I take it you also agree with me that Dr. Koch did not, in your presence, write out a prescription for steroids for you?

A. That's correct.

Q. And he did not in your presence or at any time else to your knowledge write out a prescription for steroids for Mr. Francis?

A. That's correct.

Q. Okay. And I take it as well that he did not telephone a pharmacy and phone in a prescription for steroids for you?

A. That's correct.

Q. And likewise he did not telephone a

pharmacy and phone in a prescription for steroids for Mr. Francis?

A. I can't say.

Q. He did not do that in your presence, I suggest to you, Mr. Williams?

A. That's correct.

Q. And may I also suggest to you, Mr. Williams, that Dr. Koch did not give you a vial or bottle of any medication?

A. That's correct.

Q. Now, you've also told us that Dr. Koch left the examining room at some point in the course of his examination of you?

A. After we went outside.

Q. You went outside his office?

A. I went into the waiting room.

Q. You went into the waiting room?

A. Correct, after --

Q. And Dr. Koch went into the waiting room as well?

A. No, he did not.

Q. He stayed in his office?

A. In that, where I said the table and everything else was.

Q. Okay. So I take it from all of that

that you did not see him go downstairs?

A. No, I did not.

Q. So when you earlier testified that he went downstairs --

A. I said I assumed.

Q. -- that's an assumption on your part.

A. Exactly.

Q. Fair enough. And then you said that he came back with stuff. And, again, I take it that's an assumption on your part?

A. Well, Charlie gave it to me outside in the parking lot.

Q. Well, let's take it one by one. I take it that when Charlie gave you the stuff, whatever it may have been, and we'll get to that, you're assuming that Dr. Koch gave it to him?

A. Correct.

Q. You don't know that? You're assuming that?

A. Okay, fine.

Q. Okay. And, again, whatever it was that Charlie gave you, you didn't look at?

A. Correct.

Q. You don't know that it was steroids?

A. I assumed it was because it was

mentioned --

Q. You're assuming it was steroids?

A. It was mentioned in the room where Charlie was present.

Q. But I think you were quite clear earlier, Mr. Williams, that you didn't look at the vial, that you threw it out before you ever looked at it. And, therefore, you're simply assuming that it was steroids.

THE COMMISSIONER: I think you said something was mentioned in the room.

A. It was mentioned in the room.

THE COMMISSIONER: When both you and Mr. Francis were present?

A. Yes.

MS. ROTHSTEIN:

Q. The subject of steroids was mentioned?

A. Correct.

Q. But not any particular prescription for steroids?

A. No.

Q. Right. So that if Dr. Koch testifies, as I believe he will, that he never gave you steroids, that is physically gave you steroids --

A. Correct.

Q. He never prescribed steroids for you?

A. Correct.

Q. Neither did he give steroids to Mr. Francis or suggest that Mr. Francis give them to you, I take it that it's possible that some of the assumptions that you've made are incorrect?

A. Well, where did Charlie get it from?

Q. I take that it's possible that some of those assumptions are incorrect?

A. Possibly.

Q. And, again, so that I can be fair to you, I believe that Dr. Koch will testify, and indeed his records will reflect, that it was you that asked him about going on steroids?

A. And I'll tell you --

Q. Do you still deny that?

A. I deny that.

MS. ROTHSTEIN: I have no further questions. Thank you.

THE COMMISSIONER: Thank you. Mr. Pratt.

MR. PRATT: I'm happy to start, Mr. Commissioner, but I'll be more than ten minutes, I'm afraid.

THE COMMISSIONER: Well, carry on, please.

MR. PRATT:

Q. Mr. Williams, I would like to begin, and I should just tell you, I'm not as famous as some of my friends here, my name is Alan Pratt. I represent Charlie Francis.

I would like to begin on following up on some of the questions that Ms. Rothstein has been asking you relating to this visit to Dr. Koch in either the fall of '81 or it would appear, possibly, seven years plus a day today by my calculations, April of 1982. Now, I think you told us that the visit to Dr. Koch began as a casual reference by Mr. Francis that he was driving downtown to visit his doctor; is that right?

A. Correct.

Q. And that you more or less happened to be tagging along?

A. Correct.

Q. How far ahead of the time had Mr. Francis suggested that you might accompany him downtown?

A. That morning of the workout, he said he was going downtown.

Q. Did it seem to you to be -- maybe this isn't a fair question, and if it isn't, you don't have to answer it -- that this was some kind of premeditated plan by Mr. Francis to get you to Dr. Koch's office?

A. Probably.

Q. Was it your impression that, when you arrived in Dr. Koch's office, that he was expecting to see you as well as Mr. Francis? Or did you form an impression?

A. No, I waited outside while Charlie went inside.

Q. And as far as you were concerned, Mr. Francis was seeing his doctor relating to some matter of, relating to his personal health, not in relation to yourself?

A. Correct.

Q. How did it come then, how did it come about that you provided what appears to be considerable amount of personal information to the doctor? I wonder if you could go through this in more detail, if you can recall?

A. Well, actually, what I happened was, if I can recall 100 percent, he brought me in, put me on the table, and there was a discrepancy about my hamstring strength, either the left one or the right one, and I think it was the left one that was hurt. And the discrepancy started from there, and he assessed me right there and then and said I had an imbalance between the left hamstring and the right hamstring.

Q. Perhaps we can just slow down a little bit. Mr. Francis -- you were asked to come into the doctor's office where he is --

THE COMMISSIONER: At this stage, I'm rather puzzled by it. You think Francis is the patient, not you?

A. That's what I assumed, sir, yes.

THE COMMISSIONER: Suddenly you go in. Did you strip?

A. No, sir.

THE COMMISSIONER: He just examined your hamstring with your trousers on?

A. He put me on the table and did this hamstring test. Basically, you raise your heels --

THE COMMISSIONER: But he put you on the table? Well, you must have realized then that you were the patient, not Mr. Francis.

A. Well, at the time, I did not know I was going to see a doctor. That's what I'm saying.

THE COMMISSIONER: When you got in there, though, somehow you become the patient?

A. Exactly.

THE COMMISSIONER: That was a real surprise to you?

A. Certainly.

THE COMMISSIONER: And you apparently gave a

blood test and a urine sample to the doctor.

A. Like I said before, I do not recall giving a blood test and urine sample at Dr. Koch's office.

THE COMMISSIONER: Or any other time relating to Dr. Koch?

A. That's the only time that I met Dr. Koch, sir.

THE COMMISSIONER: Unless the records are completely inaccurate, a blood test was, blood was given and a urine sample was given? You don't --

A. I don't recall ever giving a urine sample and a blood test to Dr. Koch.

THE COMMISSIONER: Oh, I thought that you had acknowledged, perhaps, you did it in the doctor's office.

A. Well, according to --

THE COMMISSIONER: According to the records --

A. Exactly.

THE COMMISSIONER: According to the records, there was a test taken. According to the records --

A. Yes.

THE COMMISSIONER: -- you had given a urine sample and a blood sample?

A. Yes.

THE COMMISSIONER: It was sent to a lab for several tests?

A. Yes.

THE COMMISSIONER: And the results came back to Dr. Koch?

A. Yes.

THE COMMISSIONER: Which is a normal practice?

A. Yes. But I'm saying to you I can't recall ever giving a blood sample and a urine sample to Dr. Koch.

THE COMMISSIONER: I see. Sorry to interrupt. But in the meantime, we've gotten you on the table and now you were talking about your hamstrings.

MR. PRATT: Well, thank you, Mr. Commissioner. I think you covered some of the matters I was about to touch upon.

MR. PRATT:

Q. Do you recall, sir, giving the doctor personal information such as your telephone number, address, and a number which may or may not be your OHIP number?

A. I can't recall ever giving him my OHIP number or anything like that, sir. Possibly my phone

number and address, yes.

Q. Are you prepared to agree now -- I took it you were a moment ago -- that somehow as a result of this visit, you did provide a urine and blood sample either to the doctor or to a lab in relation to his visit? Would you agree with that now?

A. Chances are, I didn't.

Q. All right. And would it appear also, according to the documents that Miss Rothstein was referring to a moment ago, that somehow the doctor obtained sufficient information to fill out a normal patient record of some sort with the pertinent personal information in relation to yourself, sir?

A. Possibly.

Q. So that as far as he was concerned, it seems that he left a trail of paper behind indicating that you were indeed his patient?

A. I was not Dr. Koch's patient, sir.

Q. All right. But as far as the records left by the doctor are concerned, it would seem that he treated you in that light, as a patient of his?

A. Chances are, yes.

Q. So perhaps you -- So what you're saying then, just to summarize it, that you came in as simply accompanying Mr. Francis --

A. Correct.

Q. -- who was perhaps Dr. Koch's patient, and when you left, you were yourself Dr. Koch's patient?

A. Probably, yes.

Q. And that during the course of this visit, you had occasion to be physically examined by the doctor?

A. Yes.

Q. He questioned you in relation to and physically examined you in relation to an injury that you had suffered some weeks prior to that?

A. Probably, yes.

Q. And a discussion had occurred in your presence relating to the possible use of Dianabol by yourself?

A. Me to Dr. Koch?

Q. Yes.

A. I did not discuss anything to Dr. Koch about that, sir.

Q. Then let's go into that again in a little bit more detail. Could you please -- I think you told us this morning that a discussion regarding Dianabol did take place?

A. Between Charlie and Dr. Koch, yes.

Q. And how did that commence, sir?

A. Pardon?

Q. How did that discussion arise? How did it begin?

A. Well, we got in there, and he put me on the table and everything, and Charlie suggests, "Well, what do you think? Do you think we should we put him on a steroid program or steriods per se?" And the doctor's comment to him was exactly what was on Exhibit, whatever it is, that we don't think he should be; he's strong enough or whatever. And I mean, if I go to see a doctor, as Dr. Koch that I've never met before, does it make logical sense that I would go in and say, "I want to go on D's"? I mean, it doesn't make any sense at all.

Q. Was this discussion before or after the doctor had physically examined you?

A. Before, before.

Q. So when the doctor said that you were strong enough, that was before he had examined you and before you had --

A. This was after he had examined me, he told me that I don't need to take any form of anabolic steroids.

Q. So the subject arose to begin with before he examined you; is that right?

A. Correct.

Q. He examined you --

A. And said I don't need to be --

Q. And after he examined you, he said you didn't need them?

A. Correct.

Q. And you have denied at this morning's session requesting of Dr. Koch that he provide you with anabolic steroids?

A. Pardon?

Q. You have denied making a request of Dr. Koch --

A. On my behalf?

Q. Yes.

A. Yes.

MR. PRATT: I wonder if this might be a good point to stop? Or I can carry on. I was going to change track a little bit.

THE COMMISSIONER: We'll carry on a little longer, please.

MR. PRATT:

Q. I would like to go back to your days at Clemson, sir.

A. Correct.

Q. And you were sharing a room, I believe,

with Mr. McKnight and Mr. Daley, and was Mr. Messam, is it, was he --

A. Cornell Messam.

Q. Was he a roommate as well?

A. Yes, he was.

Q. So the four of you in a large room, I take it?

A. Correct.

Q. And one day you've told us that a bottle of some description appeared on a dresser?

A. Correct.

Q. And I don't think you told us whether you had any discussions with your roommates about this bottle after its appearance. I wonder if you can recall anything of that nature?

A. Well, actually, Raymond Daley did a paper on the use of anabolic steroids and he showed the negative sides of it. And we had a big joke about it and everything else. That's the only discussion that we ever had at Clemson about anabolic steroids.

THE COMMISSIONER: But you wake up and you see this bottle of steroids on the dresser. No discussion about it?

A. Well, he asked me if I knew anything about how it got there. I don't know how it got there,

actually. That's what I'm saying.

THE COMMISSIONER: Did you ask anybody else how it got there?

A. Well, none of the coaches told me --

THE COMMISSIONER: It's there, it's sitting there, like that water, glass of water sitting on your dresser. No discussion where it came from or who it was for?

A. Well, obviously, it had to come from one of the coaches at Clemson University.

THE COMMISSIONER: I see.

A. But I did not have a discussion with a coach about going on any --

THE COMMISSIONER: Was the coach in your room?

A. Pardon?

THE COMMISSIONER: Was the coach in your room?

A. There was nobody present.

THE COMMISSIONER: Was the coach in your room in the dormatory?

A. Pardon?

THE COMMISSIONER: Was the coach in your dormatory?

A. No, he wasn't.

THE COMMISSIONER: Well, he wouldn't bring the bottle in the room, would he?

A. Well, they usually come and visit us because we usually hang around. We were a pretty close-knit group at the time between the coach and the athletes at the time because we were just starting.

THE COMMISSIONER: Did you see the coach bring it into the room?

A. No, I didn't.

THE COMMISSIONER: And nobody asked how this bottle of steroids got on this dresser?

A. I did not ask because it did not concern me. And I wasn't interested in it. That's why I did not ask any questions, sir.

THE COMMISSIONER: Not even out of pure, idle curiosity?

A. Because Peter Cross, which was our coach at the time, did not believe in anabolic steroids at the time, and he was my coach. So if it came from anybody else --

THE COMMISSIONER: Who was the coach -- did the other athletes have a different coach that you shared --

A. Just the distance runners had different coaches.

THE COMMISSIONER: You shared a room with who?

A. Cornell Messam, myself, Dave McKnight, and Raymond Daley.

THE COMMISSIONER: Weren't they all coached by Peter Cross?

A. Yes, we were.

THE COMMISSIONER: Go ahead.

MR. PRATT:

Q. You mentioned Mr. Daley a moment ago in relation to a paper.

A. Yes.

Q. Was that in response to my question about your discussions with your roommates?

A. That's the only discussion that we ever had about steroids.

Q. Now, first of all, I should probably ask you, how did you know what this bottle contained or did you know what this bottle contained?

A. Did I know -- no, I did not know what the bottle contained until, say, a couple of days after.

Q. And how did you find out what it contained?

A. I heard from Raymond Daley what was in

the bottle.

Q. And did he tell you how he knew what it contained?

A. Pardon?

Q. Did he tell you how he knew what was in the bottle?

A. He found out from the coaches. At the time the head coach was Sam Colson.

Q. So, in other words, you were led to believe, through Mr. Daley, that the coaches had provided the bottle?

A. Yes, sir.

THE COMMISSIONER: And not even your own coach?

A. Pardon?

THE COMMISSIONER: Not even your own coach? Not your own coach? Not Mr. Cross? He was your coach?

A. No, no. He didn't say Peter was the one who gave it to us.

MR. PRATT:

Q. All right. Now, you mentioned this morning, or I think it was mentioned anyway, perhaps by Mr. Armstrong, that Tony Sharpe provided some evidence earlier in relation to a bottle of, or at least anabolic

steroids being available in Clemson. Did you have an occasion to talk to Mr. Sharpe around this time about the availability of anabolic steroids at Clemson University?

A. We did not talk about anabolic steroids at Clemson. We were good friends, but we did not talk about it.

Q. All right. Now, you had a relationship with Mr. Francis that commenced, I think you told us, in about 1977; is that right?

A. We started in '77, yes.

Q. Now, apart from himself and, I guess Mr. Cross to some extent, from Mr. Francis, I guess, Mr. Cross, and yourself, had you been coached by anyone else throughout your career?

A. Just the high school coach.

Q. Now, you told us, I think, that Mr. Francis would, from time to time, invite you to accompany him on trips to antique stores and things of that nature?

A. Correct.

Q. Was that -- this was, I think you were talking about the period prior to your visit to Dr. Koch?

A. Correct.

Q. Was this indicative of a closeness in your relationship?

A. Yes, we did.

Q. Were you -- could you elaborate on that? Were you on good speaking terms with Mr. Francis?

A. Back in those days, yes, we were.

Q. Would you freely exchange information about training, for example?

A. Most of the times, yeah.

Q. Did you find him approachable?

A. Yes.

Q. And if you didn't agree with something that he suggested in relation to training, did you have a difficulty in raising the subject with him?

A. Sometimes.

Q. Okay. And how would that show itself?

A. Well, I mean, usually if Charlie said to do three 600's or whatever, and you say, "Well, maybe I want to do three 400's; I don't feel too well," sometimes he said, well, you know, I mean, this is the way it is. You either do it or, you know, forget about it. He used to get mad at us sometimes because he figured that we used to take shortcuts in workouts.

Q. So he would be angry if you worked less than the workout that he --

A. It's not a matter of working less. I mean, you can do equal distance. You can do six 200's, which is 1,200 meters, or you can do four 300's and it

still works out to be equivalent. You know, so sometimes we wanted to do something different, but it was always, it's either you do it this way or, you know, forget it.

Q. Well, Mr. Francis gave us some evidence earlier in relation to Mr. Johnson, and I think in general as well, that there were on occasions times when an athlete would come to him, and he mentioned Ben Johnson in particular, would come to him and request or suggest a change in the workout schedule, training schedule. Are you telling us that you didn't have that experience with him, that he wasn't open to suggestions about training?

A. At times he was not.

Q. At times he was not.

A. Yes.

Q. And when -- at what times was he not and what times was he, or could you tell that?

A. Well, I mean, in '82-83, for example, between that time, he wasn't very open to suggestions at all. I would come to the track and he wouldn't have a workout for me, and I'll say, "Charlie, what am I supposed to do?" And he said, "Well, just do whatever you feel like, you know."

Q. And if you were to say to him it would be a good idea to do a certain number of repetitions, what would he tell you?

A. Sometimes he will say, "Yes, you can do that or you can do what I'm going to give you."

Q. It sounds to me as if he's being quite open with you?

A. In a fair sense, at times, like I said before, he used to be quite open.

Q. On the subject of anabolic steroids, you mentioned, I think, that Mr. Francis was quite aware of your outlook, I think your word was, on anabolic steroids?

A. Yes.

Q. And he was aware of this, I took it from your evidence, prior to your visit to the doctor?

A. Correct.

Q. Now, how would he be aware of this outlook on your part?

A. That I had a negative feelings towards it.

Q. You obviously had discussed it, otherwise he couldn't read your mind, I take it?

A. Well, I mean, if -- he suggested, or if he said that he used it when I was at Clemson, which I think he did in his presentation here, then he knew for a fact that I did not want to be involved in any sort of steroid program. And I mentioned that to Charlie numerous times until finally I had it, and that's why I left in

1983.

Q. Okay. Now, let's take this one step at a time. We're dealing now with the period prior to your visit to Dr. Koch?

A. Yes.

Q. Had you had discussions with Mr. Francis up to that point about your use of steroids at Clemson or not, your use or lack of use of steroids at Clemson?

A. That's correct. No, we did not.

Q. You hadn't.

A. No.

Q. But the subject, I take it from what you just told us, did arise between the two of you?

A. Correct.

Q. And how did that arise?

A. Well, I mean, that same day that we went down to see Dr. Koch and we came back home and everything else, we let it subside for a while because I didn't really want to have any friction between myself and Charlie because I knew what Charlie's philosophy was at the time. And I just waited for a while and I said, "Charlie, I don't want to be involved in any of the steroid program," per se, back then. And his was like, you know, just basically sort of played it off, figuring eventually I would change my mind.

Q. I understood your evidence this morning to be, and I may be mistaken, it was that at the time he took you to the doctor, he was aware of your outlook in relation to steroids?

A. That's true.

Q. All right. So that the subject, in other words, had come up between you prior to this day?

A. Yes, because he asked me if I did anything when I was at Clemson, and I said no.

Q. And did you say to him why you didn't at Clemson?

A. Because I didn't want to do anything when I was at Clemson --

Q. And is this --

A. -- because I wanted to develop my full capability as a natural athlete before I tried anything that would assist me.

Q. Did you have discussions with Mr. Francis about the progress of some of your competitors in the international scene in relation to yourself?

A. No, I did not because at the time when I went to Clemson, I was, I think, the number one junior in the world, when I went to Clemson. Or, if not, close to the top anyways. And if I can recall, in 1979-80 when I ran at the N.C.'s and I finished fourth and I ran 20.35,

right, I mean, for me, I mean, those were big improvements for me anyways. So, I mean, it wasn't that I was sort of like in a slump where I wasn't progressing as an athlete that I needed any sort of assistance. So my whole theory was if I'm progressing as an athlete, why should I embark on something totally different to what I was doing before?

Q. So you had quite explicit discussions with Mr. Francis on this subject, I take it?

A. Enough that he knew exactly where my point of view was.

Q. So you don't recall -- I think Mr. Francis used a phrase, something like this, that there were quantum leaps in performance by some of your competitors internationally, and that this led him -- this was his evidence -- this led him to discuss with you the possibility of going on an anabolic steroid program in order to catch up, as it were?

A. Well, I don't think it was catching up because I think I was already there because I think at that time in 1979-80, 20.35 was one of the better performances in the world anyways. It was right there amongst the best of all the other athletes.

Q. So Mr. Francis drove you down to the doctor, knowing that you were opposed --

THE COMMISSIONER: We are now in '82,

though?

MR. PRATT: This is in -- well, either -- the spring of 1982, it would appear.

THE COMMISSIONER: I think Mr. Williams was talking about '79, his records.

A. '79-80, exactly.

MR. PRATT: Oh, I see. All right.

THE COMMISSIONER: You're out of --

MR. PRATT: I'm out of synch.

THE COMMISSIONER: -- out of synch with the witness.

MR. PRATT:

Q. Between 1979 then and April of 1982, had you and Mr. Francis had further discussions regarding anabolic steroids?

A. The last time we did was when he gave me the vial for myself and Molly. That's the last time that I ever had a discussion with Charlie until the fall of '87.

Q. Okay. Now, you're talking now, I think, in 1982?

A. Correct.

Q. The fall of '82, I guess?

A. Correct.

Q. The period between 1979 and your visit to Dr. Koch, did you have discussions with Mr. Francis about the use of, about anabolic steroids generally and, in more particular, the possibility of your using anabolic steroids?

A. I didn't have a discussion with Charlie about my possibility of using anything, any substance.

Q. All right. So you hadn't -- so for three years, in other words, prior to his sudden invitation to go see the doctor, he had not raised the subject with you?

A. Correct.

Q. And you had not raised the subject with him?

A. Correct.

Q. Is it not then, a very strange and bizarre event that then transpired when he took you to see the doctor?

A. Well, I did not know, like I said before and I keep repeating myself -- I don't want to sound like a stuck record -- that I did not know the reasons why Charlie took me to see Dr. Koch. I did not know any reasons why Charlie took me down there.

Q. So, after three years of having no discussions with him ---

A. I didn't mean we did not have any no discussions. I mean, we talked, but we did not talk about drugs.

Q. I'm talking about steroids?

A. Okay.

Q. He takes you to the doctor and at the end of the visit you are given a bottle of what you believe to be anabolic steroids?

A. That's right.

Q. Without requesting them?

A. That's right.

Q. Without requesting that of Mr. Francis or the doctor?

A. That's correct.

Q. And without any discussion of side effects?

A. That's correct.

Q. Without any discussion of dosages?

A. That's correct. Charlie never once sat down and spoke to us anything about side effects. Even in '87. He didn't even mention anything about side effects to us.

Q. What about dosages?

A. In '87?

Q. On this day in April of '82?

A. No, he did not.

Q. So, how about clearance times?

A. No, he did not.

Q. I take it that you believe that Mr. Francis expected you to be taking these pills as part of your training program?

A. Because Charlie assumed that I was doing stuff when I was at Clemson so Charlie figured -- probably figured that that's what transpired.

Q. So you're saying that he would assume that five years after ---

A. Five.

Q. I'm sorry, five years or four years after you went to Clemson and two years after -- or two

years after you had left Clemson?

A. Correct.

Q. You would still recall what the dosages were, what the clearance times were, and how to use them as part of your training for competition?

A. Clearance times. When you say clearance times,I mean, like, we did not discuss anything about clearance times, at all; nothing.

Q. So, he gave you a bottle?

A. Exactly.

Q. Mr. Francis has told us earlier that it was very, very important for him to be able to trust the athletes to whom anabolic steroids were being given because not only was the athlete's career potentially in danger by a positive test, but that his career as a coach was endangered by a positive test?

A. But I'm telling you exactly what transpired between myself and Charlie and Charlie did not discuss anything to me about clearance dates or anything, as such.

Q. You're asking us to believe then that Mr. Francis essentially put his career in your hands by turning this bottle over to you?

A. He assumed, because I was Clemson, that I would know exactly what to do. I'm not asking you to

believe, all right?

Q. But this is what logically follows from what you've told us today?

A. That I'm asking you to believe what I'm saying?

Q. Yes? I expect you're asking us to ---

A. Well.....

THE COMMISSIONER: Just ask the questions, Mr. Pratt.

THE WITNESS: You should believe what I'm saying.

THE COMMISSIONER: And Mr. Williams' is testifying and then let's just carry on from there.

MR. PRATT:

Q. Now, during the -- so that, just to clarify, you're saying that the only bottles of pills you received from Mr. Francis?

A. Correct.

Q. Were the -- was the one bottle that you obtained on the same day you went to see the doctor and a further bottle which you received some months later which you believe was intended for Molly Killingbeck?

A. And myself.

Q. And yourself?

A. That's right.

Q. You didn't look at the first bottle, I take it.

THE COMMISSIONER: I thought the bottle that he -- the second transaction for was for him. He brought it back home and Molly Killingbeck took it without his knowledge? Isn't that what you said?

THE WITNESS: Pardon?

THE COMMISSIONER: I thought you said that when you were given the bottle of pills, it was handed out for you?

THE WITNESS: No, I said Molly -- Charlie gave me the bottle and Molly took what she wanted out of it and kept it in a little box.

THE COMMISSIONER: I thought you said earlier that she did not know she was taking the pills out of the bottle?

THE WITNESS: No, I did not see Molly take any -- digest any pills.

THE COMMISSIONER: Let's go back. I thought you said on this occasion, Charlie Francis gave you some pills?

THE WITNESS: Correct.

THE COMMISSIONER: He said this is for you?

THE WITNESS: Correct.

THE COMMISSIONER: All right. You take them home?

THE WITNESS: Correct.

THE COMMISSIONER: And without your knowledge, Molly Killingbeck is taking the pills for herself?

THE WITNESS: Correct.

THE COMMISSIONER: You didn't know about that?

THE WITNESS: I did not know anything about that.

THE COMMISSIONER: That's what his evidence was, Mr. Pratt.

MR. PRATT: Thank you, Mr. Commissioner.

THE COMMISSIONER: Not as you put it.

MR. PRATT:

Q. You left Mr. Francis' group in the fall of 1983, I think you said?

A. That's right.

Q. And that's about a year and a half after the visit to Dr. Koch? That's by my calculations.

A. That's fine.

Q. April '82 to the fall of '83. What discussions did you have with Mr. Francis during that year

and a half regarding anabolic steroids and, in particular, what I want to know is your -- your use of anabolic steroids, what you told him about your use of anabolic steroids?

A. Well, we did not discuss anything. When I left, I just left because I did not see to eye to eye with Charlie.

THE COMMISSIONER: No, that wasn't the question. The question was what discussions you had -- in April 1982 you were given a bottle of these pills?

THE WITNESS: Yes.

THE COMMISSIONER: All right.

THE WITNESS: But he said a year and a half after.

THE COMMISSIONER: No, the discussion was what discussion did you have with Mr. Francis between that day and the date you left his group which is the year and a half later.

THE WITNESS: Huh-uh.

THE COMMISSIONER: The question ---

MR. PRATT: That was the question, Mr. Commissioner.

THE COMMISSIONER: Pardon?

MR. PRATT: That was the question.

THE WITNESS: What was my discussion

with ---

THE COMMISSIONER: Wasn't that the question?

MR. PRATT: Yes.

THE COMMISSIONER: The question was, what was the discussion you had in this year and a half because you were still training with Mr. Francis?

THE WITNESS: Yes, I was.

THE COMMISSIONER: And he wanted to know what discussion you had about these pills that he had given you?

THE WITNESS: Well, I guess he assumed I was taking them.

THE COMMISSIONER: All right.

MR. PRATT:

Q. He did -- in the evidence given by Mr. Francis, he indicated that there was a program of cycling where the athletes to whom anabolic steroids were being provided, they would take for a period of time and they would be off for a period. And he also indicated that it was important to insure that tests in competition would be negative?

A. Mm-hmm.

Q. Now, are you telling us, sir, that there were no discussions between yourself and Mr. Francis

about the commencement of cycles?

A. Charlie had mentioned something like that but I was not interested in it because I was not interested in taking any steroids so maybe he might have.

Q. So, if Mr. Francis were to have mentioned -- possibly have mentioned that type of issue, how would you have reacted?

A. Calmly.

Q. Would you have led him to believe that you were continuing to take the pills?

A. Because I knew his outlook on his coaching philosophies, yes.

Q. So you, for a year and a half, you effectively deceived him?

A. If you want to say deception, yes.

Q. All I'm saying is that he thought you were taking anabolic steroids and you weren't and you were leading him, your coach, to believe that you were?

A. Yes, and even after that. Even after I left Charlie, he still thought that I was taking steroids. I heard many comments about it before, too.

Q. Are you talking about the period before you went back to him?

A. The period after I left from Charlie, from '83 on.

Q. And before you went back in '87?

A. Correct.

Q. So, as far as Mr. Francis was aware, you led him to believe that you were on a program of steroids?

A. If you want to call it that, yes.

MR. PRATT: All right.

THE COMMISSIONER: Perhaps it would be a good place now to adjourn until tomorrow morning at ten o'clock. Tomorrow morning at ten o'clock.

---Whereupon the proceedings were adjourned to resume at ten o'clock, Wednesday, April 12, 1989.